REPORT OF THE PUBLIC SERVICE COMMISSION,

1886-87.

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REPORT

OF

THE PUBLIC SERVICE COMMISSION,

1886-87.

CHAPTER I.

INTRODUCTORY.

1. Appointment of the Commission: Its object.—The Public Service Commission was appointed under the orders of the Governor General in Council contained in the Resolutions of the Government of India (Home Department), No. $\frac{34}{1878\text{-}83}$, dated the 4th of October,* and No. $\frac{42}{1886\text{-}93}$, dated the 4th of November 1886. In the first of these Resolutions the Government expressed its desire that the enquiry to be made by the Commission should extend not only to the system under which Natives of India are at present admitted either under the Statute 21 and 22 Vic., Cap. 106, Section 32, to the Covenanted Civil Service, or under the Statute 33 Vic., Cap. 3, Section 6, to offices formerly reserved exclusively for members of that service, but to their employment in all branches of the public service connected with the civil administration of the country; the object of the appointment of the Commission was declared, broadly speaking, to be "to devise a scheme which may reasonably be hoped to possess the necessary elements of finality, and to do full justice to the claims of Natives of India to higher and more extensive employment in the public service," and it was intimated that the investigations of the Commission would be preparatory to a Parliamentary enquiry into Indian affairs. All questions connected with the conditions on which English candidates are admitted to the Indian Civil Service Examination in England were excluded from the enquiry.

2. Constitution of the Commission.—The Commission, as constituted by the Resolution of the 4th November 1886, consisted of a President, the Hon. Sir Charles Aitchison, K.C.S.I., C.I.E., then Lieutenant-Governor of the Punjab, fifteen members,† and a Secretary. It included a trained English lawyer

* Printed *in extenso* in Appendix A to this Report.

† *Members:*

Sir C. A. Turner, Kt., C.I.E., late Chief Justice of the High Court of Judicature, Madras.
Mr. C. H. T. Crosthwaite, Bengal Civil Service, late Chief Commissioner of the Central Provinces.
The Hon. Romesh Chunder Mitter, B.L., Puisne Judge of the High Court of Judicature, Bengal.
The Hon. J. W. Quinton, C.S.I., Bengal Civil Service, Additional Member of the Council of the Governor General for making Laws and Regulations.
Mr. F. B. Peacock, Bengal Civil Service, Chief Secretary to the Government of Bengal.
Raja Udhai Pertab Singh, of Bhinga, Oudh.
Mr. H. J. Stokes, Madras Civil Service.
Mr. T. H. Stewart, Bombay Civil Service.
Sayyid Ahmad, Khan Bahadur, C.S.I.
Mr. W. B. Hudson, Mozufferpore.
The Hon. Kazi Shahbudin, Khan Bahadur, C.I.E., late Dewan of Baroda.
M. R. Ry. Salem Ramaswami Mudaliyar, B.L., Madras.
Mr. W. H. Ryland, Uncovenanted Civil Service, late Officiating Superintendent of Stamps and Stationery, Calcutta.
Rao Bahadur Krishnaji Lukshman Nulkar, Poona.
Mr. D. S. White, Madras.

Secretary:

Mr. F. C. Daukes, Bengal Civil Service, Under-Secretary to the Government of India, Home Department.

of judicial experience, five members (excluding the President) of the Covenanted Civil Service—whose personal experience of the actual working of district administration had been sufficiently varied and extensive to entitle them to speak with authority upon the subject-matter of the enquiry, for their own Provinces—a representative of the non-official European and of the Eurasian community respectively, a member of the Uncovenanted Civil Service, and six Native members selected from various Provinces as sufficiently representative of the different classes and modes of thought in India and as commanding the confidence of their fellow-countrymen.

3. Instructions to the Commission: Restricted scope of enquiry in the first instance.—Although, as above stated, it was laid down by the Government of India that the enquiries of the Commission should ultimately embrace the employment of Natives of India not only in appointments ordinarily reserved by law for members of the Covenanted Civil Service but also in the Uncovenanted Service generally, including in that term the lower administrative appointments, executive and judicial, and all special departments connected with the civil administration of the country, the Governor General in Council considered it desirable that the Commission should, in the first instance, "direct its attention mainly to the question of the conditions under which Natives of India should be employed in the posts which are ordinarily reserved for the Covenanted Service, and to questions relating to the admission of Natives of India and Europeans respectively to those branches of the Uncovenanted Service which are directly engaged in the executive and judicial administration of the country." It was subsequently explained* that the Commission was not to discuss the general question of the present pension conditions of the Uncovenanted Service as such or any grievances of that service as at present constituted, and that questions of this nature were only to be considered by the Commission so far as they affect the relative interests of Europeans and Natives. The branches of the public service to be inquired into were declared† to be the following:—

I.—Appointments held by members of the Covenanted Civil Service, including members of Commissions in Non-Regulation Provinces:

(*a*) Executive, comprising—

(1) Appointments under the Government of India.

(2) The higher administrative and local Secretariat appointments.

(3) Headships of districts and similar appointments.

(4) Sub-divisional charges.

(*b*) Judicial, comprising—

(1) Judgeships of High and Chief Courts and Judicial Commissionerships.

(2) District or Special Judgeships and similar appointments.

(3) Assistant Judgeships and similar appointments.

(*c*) General, comprising the higher miscellaneous appointments held by Covenanted Civil Servants or other members of Commissions of the rank of Assistant Commissioner and upwards in the Non-Regulation Provinces.

* Telegram from Government of India to Secretary of State for India, No. 3200C., dated 15th June 1887.

† Supplementary letter from the Government of India, Home Department, to the President of the Public Service Commission, No. 1598A., dated 4th October 1886.

II.—Appointments held by members of the Uncovenanted Service:

(*a*) Executive, comprising—

(1) Sub-divisional charges.

(2) Tahsildarships or other appointments corresponding therewith.

(*b*) Judicial, comprising—

(1) Judgeships of High and Chief Courts and Judicial Commissionerships.

(2) District or Special Judgeships and similar appointments.

(3) Subordinate Judgeships, Munsifships, and similar appointments.

Questions relating to the other branches of the public service, which were more or less technical in their character, were to be dealt with under different arrangements after the more important questions affecting the Judicial and Executive Services were disposed of.

4. Instructions to the Commission: Covenanted Civil Service.—As regards the Covenanted Civil Service, the Commission was instructed that its most important duty would be "to consider the means best adapted to secure the admission of competent Natives of each Province of India to such full proportion of the Covenanted Service employed in that Province as may not, under the orders of Her Majesty's Government, be reserved for Europeans." It was explained that the question of the proper strength of the Covenanted Service had already formed the subject of careful examination; that important decisions upon it had been arrived at by the Government of India in communication with Her Majesty's Secretary of State; that although, in view of the discussions which had already taken place and of the conclusions which had been come to, there would be no necessity to go over the same ground again, the Commission was not precluded from reviewing the facts thus collected or the conclusions thus arrived at; and that if the Commission should "find in the course of its investigations reason for thinking that a further limitation in the number of posts reserved by law for the Covenanted Service is desirable, or that the larger employment of Natives of India in particular offices or classes of offices connected with the civil administration not now usually held by them may be conducive to the public good, either absolutely or on condition of the freer admission of Europeans to offices from which they, in their turn, are now excluded, it will not be debarred from submitting any recommendations it may desire on such points."

5. Instructions to the Commission: The Statute 33 Vic., Cap. 3, Section 6, and the Rules framed thereunder.—The Commission was instructed that its investigation should not be confined to the Rules framed under the Statute 33 Vic., Cap. 3, Section 6, but should be instituted with a view to Parliamentary legislation, if necessary. Various points*—in regard to the existence, extent, and grounds of any dissatisfaction felt by the Native community with the Statute or the Rules framed under it, the suitability of the Civil Service privileges of pay, promotion, retiring annuity, and general conditions of service to Natives obtaining office under the Statutory Rules, the results of the selections made under the Statute, and the relative merits of different systems of appointment—were indicated as demanding special and careful consideration; and an instruction was added that, "in a country of such extent as India,

* See paras. 5 to 7 of the Resolution dated 4th October 1886.

inhabited by a population so vast and various and of such unequal civilization, the evidence taken on these points, to be of real value, should be collected over a wide area and from numerous classes of people."

6. Instructions to the Commission: Relative merits of competitive selection in England and in India respectively for Natives of India.—In connection with the question whether or not it is desirable that there should be a competitive examination in England for Natives of India, the Commission was instructed to "fully examine into and report on the advantages and disadvantages of competitive selection in India, on the conditions of such competition, on the view which is likely to be taken of such a system by the Native community at large, and on the desirability or otherwise of requiring or encouraging candidates selected in India to proceed to England with a view to passing there a period of probationary training." If the Commissioners should be favourable to the maintenance, substantially, of the present system, which permits Natives to compete in England, they were instructed "to enquire what are the limits of age for Native candidates, and what the changes (if any) in the character of their examination, which the Commissioners would recommend," and in view of the difficulty of reconciling the systems which are respectively best adapted to Native candidates and to English candidates (regarding whom no question was referred to the Commission), they were to "give special attention to a suggestion made by the Bengal Government, that the number of Native probationers to be selected by competitive examination in London should be first fixed, and that the Native candidates should be selected by an examination separate from that of the Europeans, and specially adapted, as regards limits of age and otherwise, to the conditions of Natives of India." And with regard to the question of affording facilities to Natives of India to proceed to England to compete for the Indian Civil Service, the Commissioners were expected to obtain much valuable evidence from an enquiry on the following points: "(1) whether there is reason to believe that the young Natives obtained under the existing system of the open competition in England for the public service in India are the best, as regards character and capacity, who could be got for it under any system; (2) whether such a system is favourably looked upon by large and important classes in India; and (3) what is the relative weight to be attached to recent representations which affirm the general willingness of Indian youths to cross the sea for education, and to others which as strongly deny it."

7. Exclusion of Burma from the direct scope of the enquiries of the Commission.—In view of the very exceptional circumstances which prevail in Burma, the Government of India concurred in a proposal made by the President, before the first collective meeting of the Commission, that that Province should be excluded from the direct scope of the Commission's enquiries.

8. Method adopted by the Commission in conducting the enquiry.—Under the terms of the Resolution of the 4th of October 1886, the Commission was left free to determine the particular method or methods of enquiry which might be best calculated to effect the object which the Government has in view. Before the first collective meeting of the Commission, with a view to economize time, a series of detailed questions bearing upon the subject-matter of the enquiry and based upon various schemes and suggestions put forward in official papers supplied by the Government of India, were drawn up under the

orders of the President, and after submission to the Commissioners* were, with their concurrence, circulated to Local Governments for distribution to such persons, official and non-official, and to such associations and societies, and editors of newspapers both English and Vernacular, as the Local Governments might select. It was explained that the questions were necessarily very wide and general; and that those consulted were not expected to reply to all of them, but only on points regarding which they might hold distinct opinions or wish to lay particular information or facts before the Commission. As a general rule, officers of Government, whose evidence the Commissioners desired to obtain, were summoned to appear before the Commission; every individual was afforded an opportunity of himself tendering oral evidence before the Commission, and every society consulted was permitted to depute a member duly authorized to represent its views; and in order to meet the case of any who, although not specially consulted, might nevertheless be desirous of offering evidence, public notices were issued and widely circulated in each Province, inviting such persons to intimate their names and addresses to the Secretary to the Commission with a note of the particular points on which they wished to be examined. Further, with a view to render the witnesses as representative as possible of the various opinions and interests involved and to secure a fair balance of the several classes interested, the lists of persons or societies consulted under the orders of the Local Governments were in almost all cases considerably supplemented and enlarged by the addition of individuals or bodies known to the Commission generally, or to the particular member or members who represented the Province concerned, to be likely to give a useful opinion on the subject-matter of the enquiry or to be anxious to lay their views before the Commission. By these means, and also by placing no restriction whatever on the attendance of the public at the examination of witnesses before the Commission and by excluding no person who was desirous of giving evidence on any point falling within the scope of the enquiries, it may fairly be said that the Commission has, as far as it was in its power to do so, afforded to every class of Her Majesty's subjects in India full opportunity to explain and illustrate its views on all the subjects of enquiry, and that, as desired by the Government of India, the evidence taken has been "collected over a wide area and from numerous classes of people."

9. Sketch of the proceedings of the Commission.—The Commission held its first collective meeting at Lahore on the 15th December 1886, and after agreeing upon a general plan of operations proceeded to take the evidence of witnesses in the Punjab. On the termination of the work at Lahore, the Commission visited Allahabad, Jubbulpore, Bombay, Madras, and Calcutta. The dates of the commencement and termination of the sittings of the Commission at each centre are shown below†; and the whole of this time was,

* Except Sir Charles Turner, who, being on his way from England, could not be communicated with.

†

Centre.	Commencement of proceedings.	Termination of proceedings.
Lahore	15th December 1886 (no sitting on Christmas Day).	27th December 1886.
Allahabad	29th December 1886 (no sitting on New Year's Day).	8th January 1887.
Jubbulpore	11th January 1887	13th January 1887.
Bombay	17th January 1887	29th January 1887.
Madras	31st January 1887	11th February 1887.
Calcutta	21st February 1887	4th March 1887.

with the exception of Sundays and the days specified, continuously devoted to the examination of witnesses belonging to the Presidencies or Provinces concerned, or to adjoining territories including Native States. At an early stage of its proceedings the Commission decided that it would facilitate work if Sub-Committees were to proceed to each centre in advance of the general body of the Commission and make preliminary arrangements in connection with the attendance of witnesses, take such evidence as might be considered desirable, and determine what witnesses should be reserved for examination by the whole Commission. The names of the members who constituted the several Sub-Committees are shown below,* with the period during which they were detached from the main body of the Commission. The Commission did not leave any centre of enquiry until it had completed the whole of the evidence which representatives of the various interests concerned desired to offer. The constitution of the Commission during its sittings remained unaltered, except that from the 29th January to 21st February 1887, during the absence of Sir Charles Aitchison who was recalled to Lahore on duty, the office of President was filled by Sir Charles Turner; that Mr. C. H. T. Crosthwaite, who had been appointed Chief Commissioner of Burma, terminated his connection with the Commission at the close of the Bombay sittings, his place being taken, with effect from the commencement of the sittings at Calcutta, by Mr. D. Fitzpatrick of the Bengal Civil Service; that Raja Udhai Pertab Singh of Bhinga, owing to ill-health, did not take part in any of the sittings previous to the reassembling of the Commission in November 1887; and that on the appointment of Mr. Fitzpatrick in September 1887 to be Chief Commissioner of Assam, the vacancy thereby caused in the Commission remained unfilled. The work of editing the evidence, both oral and written, which was tendered before the Commission, was performed by Mr. E. W. Parker, an Extra Judicial Assistant Commissioner in the Punjab. There are obvious inaccuracies in the record, but the Commission made the best arrangements in its power to secure the correct reporting of the evidence, which, however, was no easy matter, as the examination of witnesses was almost continuous and the agency available in India for reporting by short-hand is very limited and inadequate for the requirements of an investigation conducted on such a scale as the present one has been. The Commission would here record its obligations to the Secretary, Mr. F. C. Daukes, C.S., for the invaluable assistance rendered by him in the preparation of this Report; in dealing with the voluminous mass of evidence which the Commission has had to consider, and generally in making the complicated arrangements necessary to secure the prompt performance of business at the

Presidency or Province for which the Sub-Committee was appointed.	Names of Members who constituted the Sub-Committee.	Period of absence from the general body of the Commission.
North-Western Provinces and Oudh.	The Hon. J. W. Quinton, C.S.I. Mr. T. H. Stewart Sayyid Ahmad, Khan Bahadur, C.S.I.	22nd December 1886 to 29th December 1886.
Bombay Presidency	Mr. T. H. Stewart M. R. Ry. Salem Ramaswami Mudaliyar The Hon'ble Kazi Shahbudin, Khan Bahadur, C.I.E.	6th January 1887 to 17th January 1887.
Madras Presidency	Mr. H. J. Stokes M. R. Ry. Salem Ramaswami Mudaliyar Mr. D. S. White	24th January 1887 to 31st January 1887.
Lower Provinces of Bengal	The Hon. Romesh Chunder Mitter Mr. F. B. Peacock Sayyid Ahmad, Khan Bahadur, C.S.I. Mr. W. B. Hudson	11th January 1887 to 21st February 1887.

different places at which the Commission held sittings. The assistance thus rendered has enabled the Commission to complete the work entrusted to it within a considerably shorter period than would otherwise have been possible.

10. Classification of the witnesses examined by the Commission and the Sub-Committees.—The following tables show the number of witnesses actually examined in each Province, including witnesses examined by the Sub-Committees:—

I.—Witnesses summoned or specially invited.

Province	Officials belonging to the				Non-Officials.				Total number of witnesses summoned or invited who were actually examined
	Covenanted Civil Service.	Statutory Service.	Uncovenanted Service.	Total.	Societies or Associations (by delegate).	Editors of Newspapers.	Others.	Total.	
Punjab	13*	3	21	37	4	5	14	23	60
North-Western Provinces and Oudh	15	2	11	28	3	...	17	20	48
Central Provinces	3	1	11	15	4	1	3	8	23
Bombay	12	2	25	39	6	4	20	30	69
Madras	7	2	25	34	4	3	22	29	63
Bengal	21	2	35	58	5	12	61	78	136
Total	71	12	128	211	26	25	137	188	399

* Includes three Military Officers in Civil employ.

II.—Witnesses who volunteered evidence.

Province.	Officials belonging to the				Non-Officials.				Total number of voluntary witnesses examined.
	Covenanted Civil Service.	Statutory Service.	Uncovenanted Service.	Total.	Societies or Associations (by delegate).	Editors of Newspapers.	Others.	Total	
Punjab	1	...	2	3	2	1	2	5	8
North-Western Provinces and Oudh	...	...	...	...	1	1	7	9	9
Central Provinces	...	...	...	...	...	...	4	4	4
Bombay	...	...	1	1	...	...	6	6	7
Madras	...	...	1	1	3	...	8	11	12
Bengal	...	...	10	10	...	...	20	20	30
Total	1	...	14	15	6	2	47	55	70

The figures given above show that the total number of witnesses actually examined in the course of the enquiry regarding the Covenanted Civil Service and the Executive and Judicial Services aggregated 469, of whom 399 attended by summons or special invitation and only 70 voluntarily offered oral evidence. It has already been explained that notices were widely circulated in each Province inviting members of the public to give evidence if they wished to do so; and the fact that these general invitations met with such a small response may be taken to indicate that the direct enquiries of the Commission have elicited evidence sufficiently representative of the various views of those sections of the community at all events who have cared to follow its proceedings.

As regards the first of the above tables it should be explained that the figures under each head show the number of witnesses actually examined before the Commission, and do not include persons who, although summoned or

specially invited, failed to attend. Details of the latter, the number of whom was in some cases considerable, will be found in the lists of witnesses contained in the Provincial volumes.

Among the official witnesses examined were representatives of every branch of the public service falling within the scope of the enquiry. They included, among others, fourteen members of Provincial Legislative Councils, eleven Judges of High or Chief Courts, five members of Boards of Revenue, ten Commissioners of Divisions, seven Secretaries to Local Governments, seventeen District or Divisional Judges, fifteen Magistrates and Collectors of Districts (including Deputy Commissioners), and forty-four members of the Provincial Departments of Education. Several high officials and others who were not orally examined also communicated their views to the Commission in the form of written notes or memoranda. The non-official witnesses consisted of representatives of the learned professions, delegates of associations, editors of newspapers, zemindars, merchants, pensioned officers of the British Government, and officials belonging to Native States. As was to be expected in an enquiry of this nature, the majority of the non-official witnesses belong to classes of the community who are sufficiently educated to be interested in the proceedings of the Commission, and able to express their wishes and aspirations. Other classes remained comparatively silent, partly, it may be conjectured, from inability to formulate their views, and partly by reason of the natural apathy of persons who, having themselves little to gain or lose from the enquiry, feel that the matter may safely be left in the hands of the Government. But the Commission, by summoning special witnesses and by questioning witnesses who were understood to have special knowledge, took every opportunity that was open to it to ascertain the views of every section of the community.

Turning, next, to the classification of the witnesses according to nationality, the details for each Province are:—

Province.	Domiciled Europeans and Eurasians.		Non-Domiciled Europeans.		Hindus.		Sikhs.		Mahomedans.		Parsis.		Others.		Total.	
	Invited.	Voluntary.	Invited.	Voluntary.	Invited.	Voluntary.	Invited.	Voluntary.	Invited.	Voluntary.	Invited.	Voluntary.	Invited.	Voluntary.	Invited.	Voluntary.
Punjab	1	...	19	1	19	3	6	1	13	2	...	...	2	1	60	8
North-Western Provinces and Oudh	4	3	17	...	17	4	...	...	9	2	1	...	...	...	48	9
Central Provinces	2	...	6	...	11	4	...	...	4	...	...	...	...	...	23	4
Bombay	5	2	19	...	25	3	...	...	10	1	10	1	...	...	69	7
Madras	7	3	15	...	38	3	...	...	3	6	...	...	...	...	63	12
Bengal	3	3	30	...	86	25	...	...	14	2	1	...	2	...	136	30
Total	22	11	106	1	196	42	6	1	53	13	12	1	4	1	399	70

A nominal list of the witnesses examined in each Province is given in Appendix B to this Report.

11. System adopted in connection with the examination of witnesses.—To facilitate the oral examination of witnesses and avoid loss of time, definite issues were drawn up in the form of a short set of questions which were put to each witness on his appearance before the Commission. These issues grouped together in a convenient form the various points covered by the more detailed questions originally circulated; but if any witness had prepared written

replies to the latter, he was permitted to refer to them and to read such of them as he chose; while witnesses who represented associations or societies were in all cases allowed to read written answers embodying the views of the persons whom they were deputed to represent. In no case were witnesses of any class compelled to confine themselves to the particular questions framed. All were invited to give any evidence they might wish to lay before the Commission on any points relevant to the enquiry.

12. Appointment of a Sub-Committee to enquire into the Special Departments: Constitution of the Sub-Committee and general scope of enquiry.—After the Commission had finished taking evidence on the main questions referred to it namely, "the conditions under which Natives of India should be employed in the posts which are ordinarily reserved for the Covenanted Service, and questions relating to the admission of Natives of India and Europeans, respectively, to those branches of the Uncovenanted Service which are directly engaged in the executive and judicial administration of the country," the Government of India issued a Resolution,* dated the 8th of March 1887, giving instructions regarding the second division of the enquiry. This was to embrace the question of the admission of Natives of India and of Europeans to the following branches of the public service connected with the civil administration of the country, namely, Accounts, Archæology, Customs, Education, Forests, Geological Survey, Jails, † Meteorological Survey, Mint, Opium, Pilot Service, Post Office, Police, Public Works, Registration, Salt, Surveys, and Telegraphs. The enquiry was to be conducted by a Sub-Committee of members of the Public Service Commission, aided by professional colleagues. The Sub-Committee consisted of six members. It was presided over by Sir Charles Turner with whom were associated the Hon. J. W. Quinton, C.S.I., the Hindu, Mahomedan, and Eurasian members of the Commission for the period devoted to the enquiry in the Province to which the latter belonged, and a local member nominated by each Local Government to the Sub-Committee for duty while engaged within its jurisdiction and selected from the Department or branch of the public service which was being passed under review. As the Public Service Commission did not contain a Mahomedan member from Madras or Bengal, nor a Eurasian member from Bombay or the North-Western Provinces, the Local Governments of those Provinces were requested to nominate as local member of the Sub-Committee a Mahomedan or Eurasian member as required.

13. Instructions to the Sub-Committee: Its powers and duties.—The powers entrusted to the Sub-Committee were identical with those vested in the Public Service Commission, and its duty was declared to be "to obtain and digest evidence on definite questions of fact" to be placed in due course before the Public Service Commission. The subjects of enquiry were described as "first, the present regulations of the various Departments as to admission to the various grades and ranks in each; the conditions of service in each Department, and the capacity for rendering efficient service therein of the various classes who put forward claims to such employment." The particular duty of the professional or departmental member was defined as being "to bring his local knowledge and professional experience to the assistance of the

* Printed *in extenso* as Appendix C to this Report.

† This Department was not specifically mentioned in the Resolution of the 8th of March, but was included in accordance with orders received subsequently.

Committee in obtaining accurate and complete information on the special subject with which it is dealing, and in testing the evidence of witnesses on technical points;" and, further, to "bring clearly and accurately before the Committee by means of evidence the existing organization of the Department, its technical requirements, the professional attainments essential for efficient service in its various branches, and the results of local experience as to the comparative value of the services rendered by persons of various classes now employed in the Department."

14. Method adopted by the Sub-Committee in conducting the enquiry.—The method of enquiry adopted by the Sub-Committee closely followed that of the Commission, and the necessary facts in regard to the several Departments enumerated in the Resolution of the 8th of March 1887 were elicited partly in the form of written replies to letters addressed to the controlling authority in each case, and partly by means of the oral examination of witnesses invited to attend for this purpose at the instance of the professional member concerned. These witnesses were further fully cross-examined on the various points indicated in the instructions to the Sub-Committee, and, as in the case of the Commission, opportunity was given to the general public, by means of notices previously circulated in each Province, to tender evidence on any points falling within the scope of the enquiry. The proceedings of the Sub-Committee on the occasion of the oral examination of witnesses were, moreover, open to the public and no person was excluded from offering evidence on any relevant matter.

15. Sketch of the proceedings of the Sub-Committee.—The Sub-Committee held sittings at Calcutta, Allahabad, Lahore, Simla, Bombay, Poona, and Madras for the examination of witnesses, and the President of the Sub-Committee, Sir Charles Turner, examined at Meerut some witnesses connected with the Forest School at Dehra, whose attendance could not be secured in proper time at Allahabad.

No sittings were held in the Central Provinces, the Chief Commissioner having expressed an opinion that this was unnecessary in view of the information contained in the Departmental notes and reports submitted. Moreover, the Departmental officers under this Administration are largely drawn from the adjoining Provinces, and it was considered that their views would be sufficiently represented by the witnesses examined at Allahabad and Bombay. At the same time in order to afford to all persons who felt interested in the enquiry an opportunity of bringing their opinions before the Commission, special notice was given by public advertisement that the Sub-Committee would be glad to receive them in writing, and in some Departments advantage was taken of this invitation. Associations were not invited to send delegates, but the Sub-Committee endeavoured, so far as practicable, to secure by invitation the attendance of gentlemen named by the associations as witnesses competent to give evidence respecting the various Departments with which it had to deal.

At the close of the sittings the evidence in regard to each Department was digested and finally prepared for the Press at Simla by the permanent members of the Sub-Committee, and notes were drawn up by them for the guidance of the Commission, containing the information obtained for the several Departments and abstracts of the evidence.

16. Classification of witnesses examined by the Sub-Committee.—The table given in Appendix D to this Report contains a nominal list of the witnesses examined by the Sub-Committee, and further shows, in the case of official witnesses, the branch of the public service to which they belonged. The general results are that the total number of witnesses examined was 380, of whom 159 were non-domiciled Europeans, 89 were domiciled Europeans and Eurasians, 103 were Hindus, 10 were Mahomedans, 13 were Parsis, and 6 belonged to other classes. The official witnesses aggregated 316, of whom 18 were Covenanted Civilians, 32 were Military Officers in Civil employ, and 266 belonged to the Uncovenanted Service.

17. Summary of the materials obtained.—The materials collected by the Commission and by the Sub-Committee thus consist of the evidence of 849 witnesses orally examined at local centres throughout India, and the written replies received from 113 witnesses who, although invited to give oral evidence, were either unable to do so or preferred to submit their views in writing. It was thought that written replies received from individuals whose opinion was specially invited should be brought on the record of the Commission notwithstanding the fact that they were not orally examined; but in the case of witnesses who were orally examined, it was not considered necessary to burden the record with their written replies in addition to their oral evidence, as the former were practically covered by the latter and as every witness, when orally examined, was given full opportunity of expressing his views on any point relevant to the enquiry of the Commission. In regard to associations and societies which, although invited to do so, failed to send delegates for oral examination, any written replies received have been duly recorded; and, lastly, in the case of persons who, although not invited to give evidence, voluntarily submitted their views in writing without tendering themselves for oral examination before the Commission, it was decided that the replies should not be admitted to the record except in selected instances and by special order of the Commission passed in each case. To these materials must be added (1) the official correspondence placed by the Government of India at the disposal of the Commission and of the Sub-Committee; (2) the replies of Local Governments to the questions of the Commission and of the Sub-Committee, the memoranda supplied by Local Governments regarding the characteristic features of the several Provinces and their administration, and the answers received from them to letters bearing on various specific points; (3) several notes or memoranda on the general subject of the enquiries of the Commission which were from time to time received from high functionaries of the State, such as the Judges of High Courts; and (4) certain memorials or representations,* which were received either directly from the writers or through the Government of India.

18. Final proceedings of the Commission.—The Commission re-assembled at Calcutta on the 15th November 1887 to deliberate on the materials thus obtained and to consider the evidence taken by the Sub-Committee. It divided the questions before it into the following chief branches, namely—(1) questions connected with the Covenanted Civil Service; (2) questions connected with the Statutory Service; (3) questions connected with the Executive and Judicial branches of the Uncovenanted Service; and (4) questions connected with the special Departments enumerated in the Resolution of the 8th of March 1887.

19. Arrangement of the Report.—The Report will follow the classification indicated in the foregoing paragraph, and the various questions referred

* See Appendix E to this Report.

to the Commission by the Government of India will be considered in the following order:—

	Chapter.
(1) Particulars relating to the Covenanted Civil Service . .	II
(2) Particulars relating to the Statutory Service	III
(3) Particulars relating to the Executive and Judicial branches of the Uncovenanted Service	IV
(4) Replies to enquiries made by the Government of India in regard to the Covenanted Civil Service and the competitive system .	V
(5) Replies to enquiries made by the Government of India in regard to the Statutory Service	VI
(6) Recommendations regarding the Covenanted Civil Service and the formation of an Imperial Service	VII
(7) Recommendations regarding the Executive and Judicial branches of the Uncovenanted Service, the formation of a Provincial Service, and various miscellaneous matters . . .	VIII
(8) Remarks and recommendations relating to the special Departments	IX
(9) Summary of the conclusions and recommendations of the Commission	X

CHAPTER II.

PARTICULARS RELATING TO THE COVENANTED CIVIL SERVICE.

20. Total number of sanctioned charges or offices for Covenanted Civilians (including members of Commissions in the Non-Regulation Provinces).—The following figures show for the whole of British India (excluding Burma, the Hyderabad Assigned Districts, and Coorg), the total number of sanctioned charges or offices which are held by Covenanted Civilians, and in the Non-Regulation Provinces by Covenanted Civilians, Military officers, and Uncovenanted officers promoted to the ranks of the several Commissions:—

1	2	3	4	5	6	7
	Presidency or Province.	Area in square miles (excluding Feudatory States).	Population (excluding Feudatory States).	Total number of sanctioned Covenanted charges.	Proportion of column 5 to column 3.	Proportion of column 5 to column 4.
					One charge to every—	One charge to every—
1	Madras . .	141,001	31,170,631	116	1,215 square miles.	268,712 of population.
2	Bombay and Sind	124,122	16,454,414	127	977 "	129,562 "
3	Bengal . .	193,198	69,536,861	174	1,110 "	399,637 "
4	North-Western Provinces and Oudh . .	106,111	44,107,869	169	627 "	260,993 "
5	Punjab . .	106,632	18,850,437	104	1,025 "	181,254 "
6	Central Provinces	84,445	9,838,791	43	1,963 "	228,809 "
7	Assam . .	46,341	4,881,426	32	1,448 "	152,544 "
	TOTAL .	801,850	194,840,429	765	1,048 square miles.	254,693 of population.

Note.—The figures in column 5 of this Statement show the number of "charges" or in other words the actual working body of the Covenanted Service present on duty and filling the regular sanctioned posts in the administration of the country. They do not include ineffective officers (that is, officers of less than two years' service who are held to be in training) or the proportion of officers assumed to be absent on leave, that is, 20 per cent. of the whole service or 27·39 per cent. of the working body. If officers falling under these categories are included, the total strength becomes 941, to which must be added 66 Military and Uncovenanted officers serving in the ranks of the several Commissions.

21. Origin and early history of the Covenanted Civil Service.*—The duties of the body of public officers known as the Indian Covenanted Civil Service may be said to embrace the supervision, and to a certain extent the practical administration, of the several Civil Departments of the public service in India. The Covenanted Civil Service represents the junior and senior merchants, factors, and writers who were employed for purposes of trade by the East India Company, and whose mercantile denominations were continued long after the occupation of trading had ceased to represent more than a subordinate feature in the Company's operations. In 1765 the Company acquired the Diwani of Bengal, Behar, and Orissa, including the right to collect the revenues and to administer the principal branches of the department of civil justice, but for some few years afterwards the administration of the revenues and of civil justice was left in Native hands, European supervision being gradually introduced. In 1772 the Company began to assume the direct collection of the revenues and the administration of civil justice. In

* It was the practice of the East India Company to require its servants, before leaving England, to enter into a covenant wherein their privileges were recited and their obligations were defined. This practice is continued up to the present time, each member of the Indian Civil Service being required to enter into a covenant with Her Majesty's Secretary of State. Hence the use of the term "Covenanted" in connection with the Civil Service.

1790 and subsequent years the system of civil and criminal justice was entirely remodelled by Lord Cornwallis, and the direct administration of all branches of the public service by European officers was placed on a clear and permanent basis.

22. Statute of 1793: Reservation of appointments for the Civil Service.—By Section 56 of the Statute 33 Geo. III, Cap. 52, it was enacted that all the Civil Servants of the East India Company in India "under the rank or degree of Members of Council shall have and be entitled to precedence in the service of the said Company, at their respective stations, according to their seniority of appointment; and no such Civil Servant or Servants shall be capable of being advanced or promoted to any higher station, rank, or degree therein than he or they shall be respectively entitled to according to the length of his or their service respectively; any law or usage to the contrary notwithstanding." Section 57 of the same Statute laid down that, subject to certain restrictions as to salary in regard to period of residence in India, "all vacancies happening in any of the offices, places, or employments in the civil line of the Company's service in India (being under the degree of Counsellor) shall be from time to time filled up and supplied from amongst the Civil Servants of the said Company belonging to the Presidency wherein such vacancies shall respectively happen, subject only to the restrictions in this Act contained, and no otherwise."

23. Limits of age originally fixed for admission to Haileybury and first appointment as writer.—In 1793 it was provided by law (Section 60 of the Statute 33 Geo. III, Cap. 52) that the age of writers on first appointment should not be less than 15 years or more than 22 years; but in 1837 (7 Will. IV. and 1 Vic., Cap. 70, Sections 4 and 5) it was enacted that the maximum age limit for admission to Haileybury should be 21 years and for appointment as a writer 23 years. By a subsequent enactment (16 and 17 Vic., Cap. 95, Sections 39 and 40) the power of determining the age of persons to be admitted to Haileybury or appointed to the Civil Service was given to the Board of Commissioners for the Affairs of India subject to Parliamentary control.

24. Preliminary training of Civil Servants.—In order to provide a preliminary training for the Civil Servants, Lord Wellesley, who succeeded Lord Cornwallis as Governor General, established the College of Fort William at Calcutta, where the Civilians of all the three Presidencies were required, on arrival in the country, to undergo a course of study in Law and in the Oriental languages. No provision was, however, made for giving junior Civil Servants any education previous to their appointment, until 1806 when a college was established at Haileybury in substitution for Lord Wellesley's plan of a college in India. At the same time, the system of requiring junior Civilians on first arrival in the country to study at the Presidency towns and to pass certain examinations in Law and Oriental languages previously to entering on their duties as Assistant Magistrates and Collectors was maintained for many years, until the introduction of the two years' probation in England. Admission to Haileybury was regulated by nominations made by the Court of Directors, and the students were required to undergo a two years' course of study, on the expiry of which their qualifications were tested by means of examinations.

25. The Statute of 1861 in its bearing on the Statute of 1793.—In moving for leave to bring in the Bill* of 1861 "to confirm certain appointments in India and to amend the law concerning the Civil Service there," Sir Charles Wood, then Secretary of State for India, remarked† that the object of the Statute of 1793 was "to prevent jobbing in Indian appointments on the part of the Indian authorities." As, however, Sir Charles Wood proceeded to point out, the exigencies of the public service had rendered it impossible to adhere to the provisions of the Statute of 1793 which required all vacancies in the civil branch of the Company's service under the degree of Counsellor to be filled up from amongst the Covenanted Civil Servants of the Company, and accordingly it had been found necessary to confer many such appointments on other persons, both Europeans and Natives, who consisted for the most part of Military and Uncovenanted officers. It formed one of the chief objects of the Statute of 1861 (24 and 25 Vic., Cap. 54) to validate the appointments thus irregularly made.

26. Competitive principle when first laid down: Statute of 1853.—The principle of regulating admission to the Haileybury College by open competition was laid down by the 36th and 37th Sections of the India Act, 1853 (Statute 16 and 17 Vic., Cap. 95), which provided that "all powers, rights, or privileges of the Court of Directors of the said [India] Company to nominate or appoint persons to be admitted as students" should cease, and that, "subject to such Regulations as may be made by the Board of Commissioners for the Affairs of India, any person, being a natural-born subject of Her Majesty, who may be desirous of being admitted into the said College at Haileybury .. .... shall be admitted to be examined as a candidate for such admission." With a view to give effect to these provisions, Sir Charles Wood, then President of the Board of Commissioners for the Affairs of India, sought the advice of a Committee, of which Mr. (afterwards Lord) Macaulay was Chairman, with the result that a system was introduced whereby admission to the Indian Civil Service was regulated by the results of open competitive examinations. A further result of the recommendations made by Lord Macaulay's Committee was the discontinuance of the College at Haileybury, which was not considered to provide arrangements suitable to the age and standing of those likely to be selected as candidates at the open competition. The Bill which relieved the East India Company from the obligation to maintain the Haileybury College was passed in the Session of 1855 (Statute 18 and 19 Vic., Cap. 53).

27. Competitive principle reaffirmed by the Statute of 1858: Duty of making Regulations transferred to the Secretary of State in Council acting with the advice and assistance of Her Majesty's Civil Service Commissioners in England.—In 1858 the Government of India was transferred from the Company to the Crown by the Statute 21 and 22 Vic., Cap. 106, Section 32 of which imposed upon the Secretary of State in Council, acting with the advice and assistance of Her Majesty's Civil Service Commissioners in England, the duty of making Regulations for "admitting all persons, being natural-born subjects of Her Majesty (and of such age and qualification as may be prescribed in this behalf), who may be desirous of becoming

* For further particulars regarding this Statute see para. 36 *infra*.

† Hansard, Vol. CLXIII, pages 652-671.

candidates for appointment to the Civil Service of India, to be examined as candidates accordingly, and for prescribing the branches of knowledge in which such candidates shall be examined, and generally for regulating and conducting such examinations under the superintendence of the said last-mentioned Commissioners, or of the persons for the time being entrusted with the carrying out of such Regulations as may be from time to time established by Her Majesty for examination, certificate, or other test of fitness in relation to appointments to junior situations in the Civil Service of the Crown." The Section further laid down (1) that the candidates who might be certified by the Civil Service Commissioners to be entitled under such Regulations "shall be recommended for appointment according to the order of their proficiency as shown by such examinations;" (2) that "such persons only as shall have been so certified as aforesaid shall be appointed or admitted to the Civil Service of India by the Secretary of State in Council;" and (3) that all Regulations made under the Statute "shall be laid before Parliament within fourteen days after the making thereof, if Parliament be sitting, and if Parliament be not sitting, then within fourteen days after the next meeting thereof." The provisions above summarized are still in force, and constitute the legal authority under which Regulations are issued annually by the Secretary of State in Council respecting the examination of candidates for admission to the Civil Service of India.

28. Regulations framed under the Statute of 1853: Lord Macaulay's Committee.—The Regulations framed under the Statute of 1853 were based upon the Report,* dated November 1854, of a Committee composed, in the words † of the English Civil Service Commissioners, "of persons unusually well qualified, individually and collectively, to speak with authority upon the questions referred to them"—namely, Mr. (afterwards Lord) Macaulay; Lord Ashburton; Dr. Melvill, Principal of the Haileybury College; the present Master of Balliol College, Oxford, the Reverend B. Jowett; and Mr. (now Sir John) Shaw Lefevre.

29. Report of Lord Macaulay's Committee: Limits of age for admission to the competitive examination.—The Committee recommended 23 years as the maximum and 18 years as the minimum age for admission to the competitive examination, 25 years being fixed as the latest age at which persons should be permitted to go out to India in the Civil Service. These limits were in excess of those laid down for admission to the College at Haileybury, which were 17 as a minimum and 21 as a maximum. As regards the maximum of 23 years, the Committee observed: "It is undoubtedly desirable that the Civil Servant of the Company should enter on his duties while still young; but it is also desirable that he should have received the best, the most liberal, the most finished education that his native country affords. Such an education has been proved by experience to be the best preparation for every calling which requires the exercise of the higher powers of the mind; nor will it be easy to show that such preparation is less desirable in the case of a Civil Servant of the East India Company than in the case of a professional man who remains in England. Indeed, in the case of the Civil Servant of the Company, a good general education is even more desirable than in the case of the English professional man; for the duties, even of

* This document is reproduced for facility of reference as Appendix F to this Report.
† Twentieth Report of Her Majesty's Civil Service Commissioners, page 479.

a very young servant of the Company, are more important than those which ordinarily fall to the lot of a professional man in England. In England too a professional man may, while engaged in active business, continue to improve his mind by means of reading and of conversation. But the servant of the Company is often stationed during a large part of his life at a great distance from libraries and from European society, and will therefore find it peculiarly difficult to supply by study in his mature years the deficiencies of his early training."

"The change which we propose will have one practical effect, to which we attach much importance. We think it desirable that a considerable number of the Civil Servants of the Company should be men who have taken the first degree in Arts at Oxford or Cambridge. At present the line is drawn as if it had been expressly meant to exclude Bachelors of those Universities. It will, we believe, be found that the great majority of our academic youth graduate too late by a few months, and only by a few months, for admission into Haileybury."

With regard to the minimum limit of 18 years, the Committee expressed an opinion that, "except in very rare and extraordinary cases, it is not desirable that a lad should be admitted so early as 18;" and they added their belief that, "except in very rare and extraordinary cases, no lad of 18 will have any chance of being admitted."

30. Report of Lord Macaulay's Committee: Subjects of examination.—Proceeding on the principles that "the examination ought to be confined to those branches of knowledge to which it is desirable that English gentlemen who mean to remain at home should pay some attention;" that "the examination should be of such a nature that no candidate who may fail shall, to whatever calling he may betake himself, have any reason to regret the time and labour which he spent in preparing himself to be examined;" that no service would be rendered to India "by inducing her future rulers to neglect, in their earlier years, European literature and science for studies specially Indian;" and that "the duties of a Civil Servant of the East India Company are of so high a nature that in his case it is peculiarly desirable that an excellent general education, such as may enlarge and strengthen his understanding, should precede the special education which must qualify him to despatch the business of his cutcherry," the Committee named, as subjects proper for the purpose which they had in view, (1) English Composition, Language, and Literature; (2) the two classical languages of Europe, Greek and Latin; (3) the three most important modern languages, French, German, and Italian; (4) Mathematics, pure and mixed; (5) Natural Science; (6) Moral Sciences; and (7) the two classical languages of India, Sanskrit and Arabic. As regards the inclusion of the languages last named amongst the subjects of examination, the Committee spoke with less confidence than in regard to the other subjects; and they drew a distinction between, on the one hand, Sanskrit and Arabic, and, on the other hand, those vernacular Indian languages "which are of no value except for the purpose of communicating with Natives of India, and which therefore ought not to be subjects of examination." On this point the Committee wrote: "These classical languages are by no means without intrinsic value in the eyes both of philologists and of men of taste. The Sanskrit is the great parent stock from which most of the vernacular languages of India are derived, and stands to them in a relation similar to that in which the Latin

stands to the French, the Italian, the Spanish, and the Portuguese. The Arabic has contributed, though not in the same degree with the Sanskrit, to the formation of the vocabularies of India, and it is the source from which all the Mahomedan nations draw their religion, their jurisprudence, and their science. These two languages are already studied by a few young men at the great English seats of learning. They can be learned as well here as in the East; and they are not likely to be studied in the East unless some attention has been paid to them here. It will, we apprehend, very seldom happen that a candidate will offer himself for examination in Sanskrit or in Arabic; but as such instances may occur, we think it expedient to include those languages in the list of subjects."

31. Report of Lord Macaulay's Committee: Maximum of marks to be assigned to each subject.—After pointing out that it was not to be expected that "any man of 22 will have made considerable proficiency in all the subjects of examination;" that nothing could be further from their wish than "to hold out premiums for knowledge of wide surface and of small depth;" and that "a candidate ought to be allowed no credit at all for taking up a subject in which he is a mere smatterer," the Committee proceeded to consider the maximum of marks which should be assigned to each subject, and according to the aggregate total of which gained by each candidate his place should be determined. For this purpose they adopted the principle that the marks should "be distributed among the subjects of examination in such a manner that no part of the kingdom, and no class of schools, shall exclusively furnish servants to India;" and with "an anxious desire to deal fairly by all parts of the United Kingdom, and by all places of liberal education," they framed a scale of marks which, when embodied in Regulations, assumed the following shape:—

	Marks.
English Composition	500
English Literature and History, including that of the Laws and Constitution	1,000
Language, Literature, and History of Greece	750
Ditto Rome	750
Ditto France	375
Ditto Germany	375
Ditto Italy	375
Mathematics (pure and mixed)	1,000
Natural Science—that is, Chemistry, Electricity, and Magnetism; Natural History, Geology, and Mineralogy	500
Moral Sciences—that is, Logic, Moral and Political Philosophy	500
Sanskrit Language and Literature	375
Arabic Language and Literature	375

32. Modifications made in the scheme recommended by the Committee of 1854: Age limits.—The Regulations for the open competitive examinations held in the years 1855, 1856, 1857, and 1858 were in close accordance with the recommendations of Lord Macaulay's Committee summarized above; but since 1859, in which year the duty of framing Regulations was transferred from the Board of Commissioners to the Secretary of State in Council acting with the advice and assistance of Her Majesty's Civil Service Commissioners, various changes have been made, the more important of which will now be briefly noticed.

In the Regulations for the year 1860 the maximum age for admission to the open competition was lowered from 23 to 22 on the ground that candidates

selected at a later age, if kept in England for even one year of special study, would be too old to commence life in India, and in the belief that the reduced limit somewhat exceeded the average age at which the degree of Bachelor of Arts was usually taken. In 1866 the maximum age of admission was further lowered to 21 in consequence of the introduction, at the instance of the Government of India, of a system whereby the successful candidates were required to pass a probation of two years in England; and the minimum limit, which had up to that time been 18, was also reduced to 17 years, the object of this latter change being, in the words of the Civil Service* Commissioners, to attract "to the competitive examinations from the principal public schools many distinguished youths who have not yet taken the first step towards a University or professional career at home, and whom the existing Regulations exclude." Lastly, in the Regulations for the year 1878 the maximum limit was still further reduced to 19 years, and the payment of allowances during the probationary period spent in England was at the same time made conditional on the candidates passing their probation at some University or College, to be approved beforehand by the Secretary of State, at which moral responsibility for the conduct of students is undertaken and rules of discipline are enforced. The principal objects of this change, which still remains in force,† were described in a letter,‡ dated 26th April 1877, addressed by the Under-Secretary of State to the Vice-Chancellor of the Cambridge University, to be "to bring the selected candidates to their work in India at an earlier age than heretofore, and to secure for them, as far as was possible, the moral supervision of some academical body during their period of probation."

33. Modifications made in the scheme recommended by the Committee of 1854: Standard and subjects of examination.—The branches of knowledge admissible for the competitive examination, none of which however are obligatory on candidates, remained substantially those recommended by Lord Macaulay's Committee until the year 1878, when material changes were introduced§ in order to render the examination more suitable to the reduced age of the candidates. The more important of these changes were—(1) a reduction of the standard of examination in English History and English Literature, a considerable portion of the marks assigned to those subjects being allotted to particular works to be selected by the candidates; (2) in foreign languages, ancient and modern, the restriction of the examination to the language itself excluding the literature and history, except so far as an acquaintance with the latter is necessary for an intelligent study of the language; (3) in Mathematics, the restriction of the range of examination to Arithmetic, Algebra, and Elementary Geometry up to the elements of the differential and integral calculus, including the lower portions of Applied Mathematics; (4) under the head of Natural Science, the exclusion of Zoology, Botany, Geology, and Mineralogy (the first three of which, with Agricultural Chemistry, were made optional subjects at the final examination), and the restriction of the examination to the elements of any two of the following sciences, namely—(*a*) Chemistry; (*b*) Electricity and Magnetism; (*c*) Experimental Laws of Heat and Light; and (*d*) Mechanical

* Letter from the Civil Service Commissioners to the Secretary of State, dated 3rd August 1864 (see Tenth Report of Her Majesty's Civil Service Commissioners, page 181).

† The present limits are practically from about 17½ years to 19½ years, as the 1st January of the year in which the examination is held, instead of the 1st June, has been fixed as the date up to which age is to be computed.

‡ Twenty-first Report of Her Majesty's Civil Service Commissioners, page 631.

§ Twenty-first Report of Her Majesty's Civil Service Commissioners, page 618 *et seq.*

Philosophy, with outlines of Astronomy; (5) lastly, for the Moral Sciences, which included Logic, Mental and Moral Philosophy, were substituted Logic and the Elements of Political Economy, on the ground* that these subjects are capable of being treated with exactness; that they are quite within the reach of boys between the ages of 18 and 19; and that they are now studied not only in the Scotch and Irish colleges but also in the highest classes of some of the English public schools.

34. Modifications made in the scheme recommended by the Committee of 1854: Maxima of marks assigned to the various subjects.—Up to the year 1878 the only material changes which were made in the recommendations of Lord Macaulay's Committee under this head, so far as the open competition is concerned, were—(1) an increase in the maximum number of marks assigned to Mathematics, from 1,000 to 1,250, experience having shown that, "while† it is possible for a good scholar to attain a very large proportion of the marks assigned to classics, a mathematician, although he may possess more than average ability and knowledge, cannot expect equal success;" and (2) an increase in the maxima of marks assigned to the Sanskrit language and literature and to the Arabic language and literature, from 375 to 500 in each case, on the ground‡ that acquaintance with special branches of knowledge, wherever admitted to the examination, should be "adequately rewarded." In connection with the marks assigned to the two latter subjects, it may be noted that, although the maximum of 375, recommended by Lord Macaulay's Committee and actually assigned at the examinations held in the years 1855 to 1858 inclusive, was raised to 500 which was applied during the years 1859 to 1864, doubts were evidently entertained regarding its suitability, as the Commissioners in 1865 reverted to the original maximum of 375, believing,§ with Lord Macaulay's Committee, that the examination "should be of such a nature that no candidate who may fail shall, to whatever calling he may betake himself, have any reason to regret the time and labour which he spent in preparing himself to be examined," and that "we should render no service to India by inducing her future rulers to neglect in their earlier years European literature and science for studies specially Indian." Accordingly in 1865 the maximum of marks assigned to the Sanskrit language and literature and to the Arabic language and literature was restored in each case to 375, but was again raised to its present figure—500—in 1869, not, however, "with the view of giving greater weight than has hitherto been given to the amount of proficiency which has been hitherto shown in these subjects, but in order to provide an adequate reward for the superior degree of knowledge which may be displayed in them, if, as appears not unlikely to be the case, on the one hand, Natives of India, well trained in these branches of knowledge, should come to England to compete, and, on the other hand, an increased amount of attention should be given to the study of them in schools and colleges at home." At the same time (1869),‖ and for the same reasons, the marks obtainable under the head of Natural Science were raised from 500 to 1,000. In 1878, consequent on the lowering of standard described in the preceding paragraph, the maximum number of marks assigned to English Literature and to English History was in

* Twenty-first Report of Her Majesty's Civil Service Commissioners, page 620.
† Fourth Report of Her Majesty's Civil Service Commissioners, page 236.
‡ Fourth Report of Her Majesty's Civil Service Commissioners, page 237.
§ Ninth Report of Her Majesty's Civil Service Commissioners, pages XV & XVI.
‖ Thirteenth Report of Her Majesty's Civil Service Commissioners page 277.

each case reduced from 500 to 300, while the marks allotted to Mathematics were reduced from 1,250 to 1,000. The marks assigned to English Composition were also reduced from 500 to 300. A distinction was further made in the case of the classical languages, to each of which 750 marks had up to that time been awarded, the value of Greek,* "the study of which is not generally carried so far, at the age of 19, as the study of Latin," being slightly diminished (from 750 to 600 marks), while the maximum of marks for Latin was raised from 750 to 800, and the maxima of marks assigned to the French, German, and Italian languages were raised from 375 to 500 in the case of French and German respectively, and to 400 in the case of Italian. Under the head of Natural Science, instead of a maximum number of 1,000 marks being obtainable for *adequate proficiency* in any two or more of the following branches of science—that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; (4) Zoology; and (5) Botany;—the *elements* of any two of the following sciences were prescribed, a separate maximum of marks being allotted to each, thus:—Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300. Next, in the place of Moral Sciences, that is, Logic, Mental and Moral Philosophy, with a maximum of 500 marks, the following were inserted, namely—Logic and the Elements of Political Economy, each with a maximum of 300 marks. Lastly, the maximum number of marks assigned to Sanskrit and Arabic (500 each) was left unaltered, but it was especially laid down that "the standard of marking in Sanskrit and Arabic will be determined with reference to a high degree of proficiency, such as may be expected to be reached by a Native of good education." On this point the Civil Service Commissioners remarked† that, except for the sake of Indian candidates, and if the United Kingdom only had to be considered, they "would propose to exclude Arabic, and would hesitate to include Sanskrit, notwithstanding the place which it now holds in European culture, and even at a few of our own schools and colleges." The nature of the changes made will be readily seen from the following table, which shows the subjects and marks on the occasion of the open competition held (1) at Easter, 1878, when the old system was still in force; and (2) in July of the same year, when the new system was first introduced:

EASTER, 1878 (UNDER THE OLD SYSTEM).		JULY 1878 (UNDER THE NEW SYSTEM).	
Subjects.	Marks.	Subjects.	Marks.
(1) English Composition . .	500	(1) English Composition ‡ .	300
(2) History of England, including that of the Laws and Constitution	500	(2) History of England,§ including a period selected by the candidate	300

* Twenty-first Report of Her Majesty's Civil Service Commissioners, page 619.

† Twenty-first Report of Her Majesty's Civil Service Commissioners, page 618.

‡ Marks assigned in English Composition and Mathematics will be subject to no deduction.

§ A considerable portion of the marks for English History and Literature will be allotted to the work specially prepared. In awarding marks for this, regard will be had partly to the extent and importance of the periods or books selected, and partly to the thoroughness with which they have been studied.

EASTER, 1878 (UNDER THE OLD SYSTEM).		JULY 1878 (UNDER THE NEW SYSTEM).	
Subjects.	Marks.	Subjects.	Marks.
(3) English Language and Literature	500	(3) English Literature,* including books selected by the candidate	300
(4) Language, Literature, and History of Greece . . .	750	(4) Greek	600
(5) Language, Literature, and History of Rome . . .	750	(5) Latin	800
(6) Language, Literature, and History of France . . .	375	(6) French	500
(7) Language, Literature, and History of Germany . .	375	(7) German	500
(8) Language, Literature, and History of Italy . . .	375	(8) Italian	400
(9) Mathematics (pure and mixed).	1,250	(9) Mathematics (pure and mixed) †‡	1,000
(10) Natural Science—that is (1) Chemistry, including Heat; (2) Electricity and Magnetism; (3) Geology and Mineralogy; (4) Zoology; (5) Botany . The total (1,000) marks may be obtained by adequate proficiency in any two or more of the five branches of Science included under this head.	1,000	(10) Natural Science—that is, the Elements of any two of the following Sciences, *viz.*, Chemistry, 500; Electricity and Magnetism, 300; Experimental Laws of Heat and Light, 300; Mechanical Philosophy, with outlines of Astronomy, 300.	
(11) Moral Science—that is, Logic, Mental and Moral Philosophy	500	(11) Logic	300
(12) Sanskrit Language and Literature.	500	(12) Elements of Political Economy	300
(13) Arabic Language and Literature	500	(13) Sanskrit §	500
		(14) Arabic §	500

35. Regulations now in force for the open competition.—So far as is known, no material changes in addition to those above mentioned have been made in the Regulations, a copy of which for the year 1888 is reprinted as Appendix G to this Report.

* A considerable portion of the marks for English History and Literature will be allotted to the work specially prepared. In awarding marks for this, regard will be had partly to the extent and importance of the periods or books selected, and partly to the thoroughness with which they have been studied.

† Marks assigned in English Composition and Mathematics will be subject to no deduction.

‡ The examination will range from Arithmetic, Algebra, and Elementary Geometry up to the elements of the differential and integral calculus, including the lower portions of Applied Mathematics.

§ The standard of marking in Sanskrit and Arabic will be determined with reference to a high degree of proficiency, such as may be expected to be reached by a Native of good education.

CHAPTER III.

PARTICULARS RELATING TO THE STATUTORY SERVICE.

36. The Statute of 1861 (24 & 25 Vic., Cap. 54).—In the foregoing* Chapter a description has been given of those clauses of the English Statutes of 1853 and 1858 which relate to the introduction of a system of competitive examination for admission to the Indian Civil Service. For the purpose of the present Chapter it is necessary to notice the later Statutes of 1861 and 1870, the former of which (24 & 25 Vic., Cap. 54) legalized certain appointments made in contravention of the terms of the Statute 33 Geo. III., Cap. 52†; defined more accurately than had previously been done the offices‡ to be reserved for members of the Covenanted Civil Service; and permitted the authorities in India, under special circumstances, to appoint to such offices persons other than Covenanted Civil Servants, subject to certain restrictions, namely, (1) "that no person shall be so appointed who has not resided for at least seven years in India;" (2) "that every person previously to his being so appointed to any of the offices in the Revenue and Judicial Departments ..... shall pass an examination in the vernacular language of the district in which he is to be employed where such examination is now required; and shall be subject to all the departmental tests and other qualifications and restrictions which are or may be imposed in the like case on Covenanted Civil Servants;" (3) that "every such appointment shall be provisional only, and shall forthwith be reported to the Secretary of State in Council of India, together with the special reasons for making the same;" and (4) that, "unless the Secretary of State in Council shall approve such appointment, with the concurrence of a majority of members present at a meeting, and shall within twelve months from the date of such appointment notify such approval to the authority by whom the appointment was made, then such appointment shall be cancelled."

* Paras. 26 and 27.

† Section 57 of this Statute laid down that "all vacancies happening in any of the offices, places or employments in the civil line of the Company's Service in India (being under the degree of Counsellor) shall be from time to time filled up and supplied from amongst the Civil Servants of the said Company belonging to the Presidency wherein such vacancies shall respectively happen."

‡ These offices were declared to be those specified in the Schedule annexed to the Statute, and all such offices which might be created thereafter. The Schedule was as follows:—

Secretaries, Junior Secretaries, and Under-Secretaries to the several Governments in India, except the Secretaries, Junior Secretaries, and Under-Secretaries in the Military, Marine, and Public Works Departments.

Accountant General.

Civil Auditor.

Sub-Treasurer.

Judicial.

1. Civil and Session Judges, or chief Judicial Officers of districts in the Provinces now known as Regulation Provinces.
2. Additional and Assistant Judges in the said Provinces.
3. Magistrates or chief Magisterial Officers of districts in the said Provinces.
4. Joint-Magistrates in the said Provinces.
5. Assistant Magistrates or Assistants to Magistrates in the said Provinces.

Revenue.

1. Members of the Board of Revenue in the Presidencies of Bengal and Madras.
2. Secretaries to the said Boards of Revenue.
3. Commissioners of Revenue or chief Revenue Officers of divisions in the Provinces now known as Regulation Provinces.
4. Collectors of Revenue or chief Revenue Officers of districts in the said Provinces.
5. Deputy or Subordinate Collectors where combined with the office of Joint-Magistrate in the said Provinces.
6. Assistant Collectors or Assistants to Collectors in the said Provinces.
7. Salt Agents.
8. Controller of Salt Chowkies.
9. Commissioners of Customs, Salt, and Opium.
10. Opium Agents.

37. Appointments made under the Statute of 1861.—From replies received from Local Governments it would appear that substantive appointments under the Statute 24 and 25 Vic., Cap. 54, Sections 3 and 4, have only been made in two cases. In both of these cases the power was exercised in favour of Native gentlemen, one of whom (in the Bombay Presidency) was appointed, in 1862, an Acting Assistant Judge and Sessions Judge, and the other (in the Lower Provinces of Bengal) was appointed, in 1880, an Additional Judge. It is believed, however, that recourse has been had to the Statute on more than one occasion in connection with the appointment of military officers to reserved posts in the Government of India Secretariat (Foreign Department), and in one case in connection with an appointment made in the Financial Department, also that temporary appointments of Native officers to various judicial posts have been authorized under its provisions when Covenanted agency was not available.

38. Scholarships established by Lord Lawrence's Government.—In 1868 Lord Lawrence's Government established nine scholarships, of the value of £200 a year each, tenable in Great Britain for a period of three years, with a view to encourage Natives of India "to resort more freely to England for the purpose of perfecting their education, and of studying for the various learned professions or for the Civil and other Services" in India. These scholarships were to be awarded partly on the result of competition and partly by means of the nomination of duly qualified persons. The Secretary of State (the Duke of Argyll), however, did not approve of the arrangement, and it was accordingly discontinued.

39. The Statute of 1870 (33 Vic., Cap. 3).—The object of Section 6 of the Statute of 1870 was to provide "additional facilities.....for the employment of Natives of India of proved merit and ability in the Civil Service of Her Majesty in India." It enacted that nothing in any "Act of Parliament or other law now in force in India shall restrain the authorities in India by whom appointments are or may be made to offices, places, and employments in the Civil Service of Her Majesty in India from appointing any Native of India to any such office, place, or employment, although such Native shall not have been admitted to the said Civil Service of India in manner in Section 32 of the" Act for the Government of India, 21 and 22 Vic., Cap. 106, "provided, but subject to such rules as may be from time to time prescribed by the Governor General in Council, and sanctioned by the Secretary of State in Council, with the concurrence of a majority of members present." It was further laid down that "for the purpose of this Act, the words 'Natives of India' shall include any person born and domiciled within the dominions of Her Majesty in India of parents habitually resident in India, and not established there for temporary purposes only, and that it shall be lawful for the Governor General in Council to define and limit from time to time the qualification of Natives of India thus expressed: provided that every resolution made by him for such purpose shall be subject to the sanction of the Secretary of State in Council, and shall not have force until it has been laid for thirty days before both Houses of Parliament."

40. The Statute of 1870: Rules framed in 1873.—The first set of Rules* under the Act of 1870 were drawn up in 1873 and submitted to the Secretary of State in 1874. They proceeded on the principle that the preliminary

* See Appendix H to this Report, where the proposed Rules are given *in extenso*.

condition of proved merit and ability implies in the person fulfilling it a good education, special training in some office or profession, a high character, and some degree of distinctive success, and that no better course of probation for superior appointments could be devised than is given by passing with credit through the regular gradation in the subordinate branches of the service which lead up to them. Accordingly, the draft Rules prescribed that the main qualification requisite for appointments under the Act should be a certain precedent term of service in the higher ranks of subordinate Government employ. The nomination to an appointment was to be made by the authority which ordinarily nominates or appoints to the particular office; but the previous sanction of the Government of India was required, and the appointment was to be probationary. The Law Officers of the Crown, however, to whom a case on the Rules was stated, were of opinion* that the Government of India had placed too narrow a construction on the Statute. The rules were accordingly disallowed, and the Government of India was instructed to submit a fresh draft on certain general lines indicated by the Secretary of State.

41. The Statute of 1870: Rules of 1875.—Revised Rules† were accordingly drawn up by Lord Northbrook's Government, which were with certain modifications sanctioned by the Secretary of State (the Marquis of Salisbury) "as a tentative measure." These Rules do not call for any detailed remark. They were drawn in the widest possible terms, and they permitted Statutory appointments to be given provisionally to any Native of India, "if of proved merit and ability," whom the Local Governments or the Government of India should nominate, under proper sanction, to the offices within their respective jurisdictions, the nominee being required to undergo a term of probation after provisional appointment. The Rules, however, remained practically inoperative, only one, or at the most two, appointments having been made thereunder to the judicial branch of the service.

42. The Statute of 1870: Rules of 1879.—In 1878 the entire question was reopened by Lord Lytton's Government, with the result that revised Rules † which provided (1) that a proportion not exceeding one-fifth of the total number of Civilians appointed by the Secretary of State to the Civil Service in any one year should be Natives selected in India by the Local Governments; (2) that each selection should be subject to the approval of the Governor General in Council; and (3) that the selected candidates should, save under exceptional circumstances, be on probation for two years, were sanctioned by the Secretary of State (Viscount Cranbrook) and were promulgated under Home Department Notification No. 1534, dated 22nd August 1879.

43. Subsequent history of the question.—In a Resolution, dated the 24th of December 1879, the Government of India expressed an opinion (1) that appointments under the Rules should, generally speaking, be confined to

* *Extract from the opinion of the Law Officers on a case submitted by the Secretary of State* :—

"That Section (that is, Section 6 of the Statute 33 Vic., Cap. 3) was *expressly* intended to afford increased facilities for the employment of Natives of India of "proved merit and ability" in the Indian Civil Service (notwithstanding the impediments and limitations contained in the recited Acts), *subject to rules* prescribed and sanctioned as therein stated. The "merit and ability" need only be proved or established to the satisfaction of the authorities making the appointments, and no particular method of establishing proof of merit or ability is enjoined."

"There seems, therefore, to us to be no valid reason why the Governor General in Council should limit the exercise of the discretion of the authorities entrusted with making these appointments by prescribing any rules (such as those in the draft sent from India) requiring the Native candidates for employment in the Civil Service (properly so called) to have previously served for any definite period or upon any definite terms in some other employment under the British Government. Such a restriction seems to us to be clearly opposed to the spirit and intention of the Act of 1870."

† See Appendix H to this Report, where the Rules as sanctioned by the Secretary of State are given *in extenso*.

"young men of good family and social position, possessed of fair abilities and education, to whom the offices open to them in the inferior ranks, or Uncovenanted Service, have not proved a sufficient inducement to come forward for employment;" and (2) that the appointment of persons who have already proved their merit and ability either in the Government service or in the practice of a profession should be exceptional, and should be "confined to persons who have obtained great distinction in the offices they have held or the professions they have followed—persons, in short, whom the Government would spontaneously desire to appoint to superior offices." In 1884, however, it was decided once more to reopen the question, evidence having been adduced which satisfied the Government of India that the plan of nomination was held by many authorities to fail in securing sufficient guarantees of ability and education in persons appointed under the Rules. Although it was considered that in most instances the nominations actually made had been fairly satisfactory, it was generally felt that no antecedent guarantee existed of the fitness of the persons selected. Under these circumstances, various alternative courses were submitted for the consideration of the Local Governments, whose opinions were at the same time invited generally upon the best mode of improving the working of the Rules. The result of the reopening of the question has been the appointment of the present Commission under the orders of His Excellency Lord Dufferin.

44. Provisional arrangements at present in force.—In the meantime the Local Governments have been allowed a wide discretion in the system of nomination adopted. Each Local Government has, in fact,* been permitted to choose its candidates in any manner that may appear to it desirable, with the sole proviso that, in the case of candidates whose merits and abilities have not been already proved by employment in the public service, special regard should be paid to educational attainments and proficiency. The orders contained in the Resolution† of the 24th of December 1879 have at the same time been declared to be in abeyance; and it has been left to Local Governments to select suitable candidates from the Uncovenanted Service or the learned professions, to institute a test of limited competition among nominated candidates, or to follow any other mode of selection that may be thought suitable.

45. Scale of recruitment fixed for the several Provinces: Appointments made under the Rules of 1879: Modes of selection adopted.—The number of appointments to be made each year under the Statutory Rules must not exceed one-fifth of the total number of Civilians appointed by Her Majesty's Secretary of State to the Covenanted Civil Service in that year. The practical effect of this limit, when calculated upon the regular annual recruitment of Covenanted Civilians fixed as appropriate for each Province, is to give 7·56 as the total yearly number of Statutory appointments for the whole of British India, distributed over the several Provinces thus:—

Madras	1·17
Bombay	1·05
Sind	·16
Bengal	1·72
North-Western Provinces and Oudh	1·67
Punjab	·78
Central Provinces	·43
British Burma	·34
Assam	·24
TOTAL	7·56

* Circulars dated 5th September 1884 and 29th October 1885.
† See foregoing paragraph.

The number of appointments, up to and including the year 1886, made under the Rules, full details of which are given in Appendix I to this Report, has been 48, or an average of 6 a year, distributed thus:—

	Hindus.	Mahomedans.	Parsis.	Sikhs.	Burmans.	Total.
Madras . .	6	2	...	...	...	8
Bombay . .	5	2	2	...	...	9
Bengal . .	9	2	...	...	..	11
North-Western Provinces and Oudh . .	6	5	...	...	...	11
Punjab . .	...	3	...	2	...	5
Central Provinces	1	1	...	...	...	2
British Burma .	...	...	...	...	2	2

The total number of Hindus appointed under the Statutory Rules of 1879 has therefore been 27, of Mahomedans 15, of Parsis 2, and of Sikhs 2, to whom must be added 2 Burmans.

In connection with the above appointments, various systems of nomination have been adopted in the several Provinces; but Local Governments have in all cases been required to submit for each appointment available the names of three suitable nominees for selection by the Government of India.

In the Madras Presidency the Local Government reports that the general rule was to nominate persons of good family, social position, and general influence, regard being at the same time had to educational qualifications; but the plan more recently advocated and acted upon has been to adopt a system of nomination on the ground of merit and ability proved in the Uncovenanted Service or in the practice of one of the learned professions, alternating (once in every three years) with a system of nomination based on the results of an examination amongst a limited number of candidates, being Natives of the Madras Presidency, graduates in Arts of a recognized Indian University, and between 22 and 25 years of age. The examination held under this latter system consisted of two branches, the first of a qualifying nature for the purpose of eliminating unfit candidates, and the second of a more searching description. In making the final nominations the Local Government has not been guided by the marks gained by, or the position assigned to, the successful candidates, but has also examined the claims of the successful candidates with reference to such considerations as birth, character, family services, and the like.

In the Bombay Presidency the system adopted has been that of nominating young men of good family and social position, subject to the possession of sufficient educational attainments. In this Presidency one Statutory Civilian only has been appointed on the ground of merit and ability proved in the service of Government, and one has been recommended for appointment on the ground of merit and ability proved in the practice of a profession.

In the Lower Provinces of Bengal the system adopted in 1879 and in the four succeeding years was one of nomination pure and simple, the factors taken into account being family respectability, good education, past Government service, and physical powers. Since 1884 a system of limited competition among a limited number of candidates has been instituted, according to the results of which nominations have been submitted by the Local Government. The candidates for this examination have been chosen from (*a*) officers in the service of Government who had specially distinguished themselves; (*b*) persons who had taken the degree of Bachelor of Arts at the Calcutta University, provided that such persons were able to produce certificates of their having a

thoroughly practical knowledge of the English language, of their physical fitness for the service of Government, of good moral character, and of their being of active habits and able to ride; (*c*) persons of proved merit and ability in the practice of a profession. Persons of more than 25 years of age have not been allowed to appear at the examinations unless they were already in the service of Government or had been engaged during at least five years in a learned profession.

Four Statutory Civilians have been appointed in Bengal on the ground of high birth, social position, and general influence, and a similar number on the ground of merit and ability proved in the service of Government; but none have been appointed on the ground of merit and ability proved in the practice of a profession. Of the four Statutory Civilians appointed on the ground of high birth, two are no longer in the service of Government, one having resigned after having been on leave for a very considerable period, and the services of the other having been dispensed with owing to his failure to pass the prescribed departmental examination.

In the North-Western Provinces and Oudh the system adopted has been that of nominating such persons as appeared to the Local Government to possess in the highest degree the qualifications necessary for the discharge of the duties of Statutory Civilians. No preliminary examination has been held and no minimum standard of educational attainments has been required (except a competent knowledge of English). No nomination has been made solely on the ground of high birth, social position, or general influence; but some consideration has been paid to social position, subject to educational, moral, and physical qualifications which have been taken into account and assigned their due weight.

In the Punjab the essential qualifications for nomination are good family and social position, combined with educational, moral, and physical fitness. No Statutory Civilians have been appointed on the ground of merit and ability proved in the service of Government or in the exercise of a profession.

In no case (except in Bengal) has a person been appointed a Statutory Civilian on the ground of intellectual qualifications alone, and up to the present time no domiciled European or Eurasian has received either a nomination or an appointment under the Statutory Rules. In Bengal some Eurasian gentlemen were allowed to appear at the competitive examinations held in the years 1884 and 1886 for admission to the Statutory Service, but they failed to obtain a place amongst the successful candidates.

CHAPTER IV.

PARTICULARS RELATING TO THE EXECUTIVE AND JUDICIAL BRANCHES OF THE UNCOVENANTED SERVICE.

46. General Scope of enquiry: Meaning of the terms "Uncovenanted Service," "Executive Service," and "Judicial Service."— Under the instructions given to the Commission the enquiry under the head of the Uncovenanted Service embraces* (1) appointments included in the Executive and Judicial Services of the several Provinces down to and including the office of Tahsildár or Munsif or other office corresponding to that of Tahsildár or Munsif, which are not reserved for or ordinarily held by members of the Covenanted Civil Service; and (2) certain miscellaneous appointments, such as Judgeships of Small Cause Courts, which although strictly speaking not included in the above services, and although not specially reserved for members of the Uncovenanted Service, are nevertheless usually held by officers of that class. The terms "Executive Service" and "Judicial Service" are used throughout this Report as indicating respectively the Executive and Judicial offices and appointments abovementioned. It may be well to explain that the use of the word "Uncovenanted" is purely technical, and that for the present purpose it includes the very large number of public servants who fill appointments not reserved by Statute for members of the Covenanted Civil Service, and who are recruited from the talent, for the most part Native, which is procurable in India. Thus the term "Executive Service" includes, on the one hand, officers styled Deputy Collectors in the Regulation Provinces and Extra Assistant Commissioners in the Non-Regulation Provinces; and, on the other hand, the officers known as Tahsildárs, Mamlatdárs, Mukhtyárkárs (in Sind), and Sub-Deputy Collectors. The Deputy Collector and Deputy Magistrate is usually in subordinate charge of a sub-division of a district, or, it may be, of the treasury, or in some Provinces of certain branches of the revenue and criminal work. In the former case he may have the immediate control of one or more Tahsildárs, Sub-Deputies, or the like. The Tahsildár is the head in some cases of the territorial sub-division, or in others of the territorial unit next below the sub-division, and usually conducts, within prescribed limits, all executive functions required in respect of it, including the exercise of magisterial functions. But in Bengal and part of Northern India a practice prevails of employing Deputy Collectors at head-quarters or otherwise upon duties assigned to them by the Collector, instead of giving them a territorial charge. For instance they may try criminal cases allotted to them from day to day, or may be deputed to do revenue work or partition of estates in a particular village or tract, or be placed in charge of excise or some other department of district work under the orders of the District Officer. Again, Sub-Deputies (a class of officers peculiar to Bengal and Assam) have for the most part no specified charge and do the work which they are from time to time set to do. Their immediate superior is ordinarily the Assistant or Deputy Collector in charge of a sub-division or the District Magistrate at head-quarters. It should be understood that this description is of the broadest kind and leaves out numerous phases of the employment in the several Provinces of the officers named. The term

* See para. 3 *supra*.

"Judicial Service" includes officers known as Subordinate Judges (or Extra Assistant Commissioners in the Non-Regulation Provinces) and Munsifs, the former of whom exercise an original jurisdiction unlimited in extent though they are subject to the control of the District Judge, while the jurisdiction of Munsifs is limited to cases where the value of the matter in dispute does not exceed R1,000* (in Bengal) or R2,500 (in Madras). Subordinate Judges also, if specially empowered on that behalf, hear appeals from the Courts of Munsifs. In Bombay there are no Munsifs, their place being taken by Subordinate Judges of the 2nd class with a jurisdiction up to R5,000. In the Non-Regulation Provinces the class of officers known as Extra Assistant Commissioners perform both executive and judicial functions.

47. Importance of enquiry into the Executive and Judicial Services.—The brief description given in the foregoing paragraph of the general nature of the duties which devolve upon members of the Executive and Judicial Services is sufficient to show the direct and intimate bearing of the efficiency of these services on the well-being of the people. The importance of the enquiry into these branches of the public service becomes even more apparent when it is remembered that the persons employed merely in the superior ranks of these services aggregate nearly 2,600 (excluding all special Departments), while the strength of the Covenanted Civil Service in the several Provinces (including Statutory officers, junior Civil Servants in training and officers absent on leave) is about 940 officers.† It must also be remembered that it is with the officers of this class that the great mass of the people are most ordinarily brought into contact, and that upon them it devolves to decide a large proportion of the disputes, whether connected with revenue, magisterial, or civil matters, which arise between man and man in ordinary life and do not, as a general rule, come before officers belonging to the Covenanted grades. Under these circumstances the Commission has in the course of the present enquiry used particular endeavours to ascertain whether the existing systems of recruitment applied to the Executive and Judicial Services are susceptible of improvement in the interests of the well-being of the people and of the efficiency of the administration. The importance of the enquiry under this head constitutes the apology which the Commission would offer for dealing with it in what might otherwise be regarded as unnecessary detail.

48. Existing rule regarding the non-appointment of persons not being Statutory Natives of India to posts in the Executive and Judicial Services carrying a salary of R200 a month or upwards.—In 1879 instructions were issued by the Government of India and the Secretary of State with the view of giving more complete effect to the orders of Her Majesty's Government that Natives of India should be appointed to an increasing majority of higher offices in the Uncovenanted Service. The practical effect of these orders, which are contained in a Circular issued by the Government of India, dated the 18th of April 1879, and in Despatches‡ addressed by the Secretary of State to the Governments of Madras and Bombay, dated the 10th of July 1879, upon the Executive and Judicial Services, was to reserve all appointments in those services carrying a salary of R200 a month and upwards for persons

* This is the ordinary limit, but by Act XII of 1887 the Governments of Bengal and the North-Western Provinces and the Chief Commissioner of Assam are empowered, on the recommendation of the High Court, to invest Munsifs with jurisdiction up to R2,000.

† The figures for Burma are excluded in both cases.

‡ Reproduced as Appendix J to this Report.

being Natives of India within the meaning of the Statute 33 Vic., Cap. 3, Section 6 (including persons born and domiciled within the territories of Indian Princes tributary to, or in alliance with, Her Majesty), and to prohibit the appointment of other persons to such posts unless (in the case of the Bengal Presidency) the sanction of the Governor General in Council, or (in the case of the Madras and Bombay Presidencies) that of the Secretary of State in Council, had been previously obtained.

49. Executive Service: General outlines of systems of recruitment adopted in the several Provinces.—Appendix K to this Report shows the constitution of and the rates of pay attached to the various classes of appointments in the Executive and Judicial Services, and summarizes the rules of recruitment for those services which prevail in the several Provinces. For the present purpose it may suffice to describe very generally the more salient features of the rules at present in force.

In the Madras Presidency the general system of appointment in the case of the Executive Service (Deputy Collectors and Tahsildárs) is nomination from amongst candidates who have passed certain special tests varying with each class of appointment. Deputy Collectors are appointed by the Local Government and are generally selected from persons who have acquired experience as Tahsildárs. Tahsildárs are nominated by Collectors (subject to the sanction of the Board of Revenue and the Local Government) from persons who have passed the special tests, but nominations must be preceded by approved service in certain specified subordinate posts. In the case both of Deputy Collectors and Tahsildárs probation is provided for by a period of acting service which, in practice, invariably precedes final confirmation.

In the Bombay Presidency and Sind the office of Deputy Collector is ordinarily filled by the promotion of Mamlatdárs or Mukhtyárkárs respectively, while officers of the latter classes are generally appointed from graduates who have served for a prescribed period in the Land Revenue Department and have passed the departmental examinations. In both cases provision is made for the promotion of deserving officers of the lower grades who are not graduates of a University. Appointments as Deputy Collectors and Mamlatdárs or Mukhtyárkárs are made respectively by the Local Government and by Divisional Commissioners in the Presidency proper, and in Sind by the Commissioner. As a general rule Mamlatdárs are appointed on probation, and final confirmation is contingent on the efficiency of the probationers in the discharge of their duty.

In the Lower Provinces of Bengal the Executive Service consists of two classes of Officers, namely, (1) Deputy Magistrates and Deputy Collectors and (2) Sub-Deputy Magistrates and Sub-Deputy Collectors. Appointments to the first of these classes are usually made according to the results of a competitive examination among accepted candidates who must, amongst other necessary qualifications, be Natives of India within the meaning * of the Statute of 1870, and must, unless they have passed the Entrance examination of the Calcutta University, have received an education up to the standard at least of that examination. The successful candidates are at once attached as probationers to different duties in districts, and their eventual appointment to a substantive post depends upon the manner in which they discharge their duties and upon their having

* See para. 39 *supra*.

passed the departmental examination by both standards. Sub-Deputy Magistrates and Sub-Deputy Collectors are appointed by nomination and have no claim by right to promotion to the superior grade. Appointments of both classes of officers are made by the Local Government.

In the North-Western Provinces Deputy Collectors are appointed by the Local Government on the nomination of the Board of Revenue; and in Oudh recommendations for appointment are made to the Local Government by the Divisional Commissioners. A large proportion of the officers appointed are men who have had experience as Tahsildárs or as Head Clerks in Collectors' offices or have proved their ability in the Police, Education or other Departments. The experiment has also recently been made of appointing young men of promise as Honorary Deputy Collectors in the first instance. Tahsildárs are selected by a Central Committee from nominations made by District Officers, Commissioners, and the Board of Revenue. These nominations are ordinarily made from Naib Tahsildárs or other competent officials who are deemed likely to become efficient Tahsildárs, or, failing these, from other competent persons who must have passed an examination not inferior to the middle class Anglo-vernacular departmental examination. Before confirmation in their appointments selected nominees are required to render approved service for one year and must have passed the departmental examination prescribed for Tahsildárs. Tahsildárs are appointed in Oudh by the Local Government and in the North-Western Provinces by the Board of Revenue.

In the Punjab the Executive Service consists of (1) Extra Assistant Commissioners, (2) Tahsildárs, and (3) Superintendents of Settlements. Extra Assistant Commissioners are appointed partly by nomination amongst officials who, by approved service, are considered to have earned a claim to the appointment of Extra Assistant Commissioner, and partly by competition amongst approved candidates who must possess a minimum educational qualification equivalent to the Entrance standard of the Punjab University. Probation is provided for by requiring successful candidates, who have not served in a Settlement or as Tahsildár, to serve for twelve months in a Settlement, and all successful candidates are required to pass within a certain period the higher standard departmental examination prescribed for Assistant Commissioners and Extra Assistant Commissioners. In exceptional cases direct appointments are, for political or other sufficient reasons, and generally in frontier districts, made without examination. Tahsildárs are appointed by the Financial Commissioner on the nomination of Deputy Commissioners, but the nominee must be either a Naib Tahsildár who has held office for two years and has passed the Tahsildárs' departmental examination, or an approved candidate for the office of Tahsildár. No candidate is ordinarily eligible for appointment as Tahsildár until he has passed the departmental examination. Superintendents of Settlements are appointed by the Financial Commissioners from Tahsildárs and other suitable persons.

In the Central Provinces Extra Assistant Commissioners and Tahsildárs are appointed by nomination from distinguished students of any of the Universities who belong to the Central Provinces, from members of the local Bar, or from among Clerks of Court or other Government servants who are considered to have received a fair education, and who have passed some of the prescribed departmental examinations. Provision is practically made for probation by means of officiating appointments, and the departmental examination must in

all cases be passed by both standards within a specified period under penalty of stoppage of promotion.

In the Hyderabad Assigned Districts no rules exist for the appointment of Extra Assistant Commissioners and Tahsildárs, but all such officers are required, within two years from the date of appointment, to pass a departmental examination.

In Assam Extra Assistant Commissioners are ordinarily appointed from men of approved merit and ability among the Sub-Deputy Collector and Tahsildár classes. Tahsildárs and Sub-Deputy Collectors are under the existing rules appointed according to the results of a competitive examination, but in making the final selections consideration is given to birth and claims based on being a native of the Province or on descent and social position. It is understood, however, that the rules regarding the appointment of Tahsildárs in Assam are not now enforced in their entirety.

In Coorg members of the Executive Service are selected according to their qualifications, the Middle School examination of the Madras Presidency representing the minimum standard of educational qualification.

50. Judicial Service: General outlines of systems of recruitment adopted in the several Provinces.—In the Madras Presidency candidates for the appointments of Subordinate Judge or District Munsif are required to pass certain "special test" examinations, and it is necessary that they should with certain exceptions be either (1) advocates, vakils, or attorneys of the High Court or persons duly qualified for admission in those capacities, or (2) persons who have obtained the degree of Bachelor of Law at an Indian University, or (3) persons who have passed the first grade pleadership examination. Subordinate Judges are appointed by the Local Government on the recommendation of the High Court, and District Munsifs are appointed by the High Court.

In the Bombay Presidency and Sind the Judicial Service is composed only of Subordinate Judges. In the Presidency proper, candidates for appointments must have graduated in Law at the University of Bombay or have passed the High Court's Examination for the offices of Subordinate Judge and pleader of the High Court, and must also either have practised for three years in a Civil Court or have served in a Civil Court for a similar period in certain specified capacities. In Sind the tests are identical with those prescribed for admission as Sadar Court pleaders, and the minimum educational qualification required is the passing of the Matriculation examination of the Bombay University or a public examination of an equally high character. In the Presidency proper Subordinate Judges are appointed by the Governor of Bombay in Council and in Sind by the Commissioner.

In the Lower Provinces of Bengal Subordinate Judges are as a rule appointed by the selection of Munsifs of approved merit. Candidates for the appointment of Munsif must hold the degree of Bachelor of Law, have passed the senior grade pleadership examination, and have practised as pleaders for three years. Appointments of Subordinate Judges are made by the Local Government. Munsifs are nominated by the High Court and appointed by the Local Government.

In the North-Western Provinces and Oudh Subordinate Judges are appointed from the ranks of Munsifs on the recommendation, in the case of the North-Western Provinces, of the High Court, and in the case of Oudh, of

the Judicial Commissioner. Candidates for the office of Munsif must be either (1) vakils of the High Court, North-Western Provinces, or persons who have qualified for admission as such vakils, or (2) Bachelors of Law of the Calcutta University who have practised for three years or have held certain specified offices for a similar period, or (3) pleaders of the upper subordinate grade who have served in certain capacities for not less than three years. Similar rules, *mutatis mutandis*, prevail in Oudh.

In the Punjab Extra Judicial Assistant Commissioners are appointed by the Local Government, on the recommendation of the Chief Court, from Extra Assistant Commissioners who display special aptitude for judicial work. Munsifs are appointed partly by selection and partly according to the results of competitive examinations, permanent vacancies being filled by each system alternately.

In the Central Provinces, the Hyderabad Assigned Districts, and Coorg there is no separate Judicial Service, and the rules of appointment have been already described under the head of the Executive Service. A similar remark applies to Assam, with the exception of the District of Sylhet, where appointments to the posts of Subordinate Judge and Munsif are filled on the nomination of the Calcutta High Court from the Judicial Service of Bengal.

51. Executive and Judicial Services: Practical results of the systems of recruitment.—It may be convenient to show here in a tabular form the practical results of the different systems of appointment adopted in the several Provinces, so far as these can be judged—

(1) from the educational attainments of the present incumbents as shown by the results of the examinations of the Indian Universities;

(2) from the nationalities of the present incumbents;

(3) from the castes to which those of the incumbents who are Hindus belong; and

(4) from the extent to which the several incumbents belong to Provinces other than those in which they are employed.

52. Executive and Judicial Services: Educational attainments of existing incumbents.—The following figures* show the educational attainments of the present incumbents of each class of offices included in the Executive and Judicial Services of the several Provinces with reference to the ordinary examinations of the Indian Universities:—

Province.	Class of appointment.	Total number of persons actually employed, including officiating officers.	Number who have				
			Passed Entrance Examination.	Passed First Arts Examination.	Taken degree of Bachelor of Arts.	Taken degree of Master of Arts.	Total.
Madras	Deputy Collectors	67	13	6	9	1	29
	Tahsildárs	155	41	17	4	...	62
	Subordinate Judges	17†	1	...	4‡	...	5
	Munsifs	106	31	14	26§	1	62
Bombay and Sind	Deputy Collectors	59	4	2	2	3	11
	Mamlatdárs	157	39	10	13	...	62
	Mukhtyárkárs	51	2	1	...	...	3
	Subordinate Judges	117	43	8	35	4	90

* Coorg is omitted from this table and from those which follow as the numerical strength of the establishments in that Province is so small.

† Includes also Small Cause Court Judges.

‡ Two of these officers are also Bachelors of Law. There is also one officer who is a Bachelor of Law, though not a Bachelor of Arts.

§ Sixteen of these officers are also Bachelors of Law. There are also two officers who are Bachelors of Law, though not Bachelors of Arts.

Province.	Class of appointment.	Total number of persons actually employed, including officiating officers.	Number who have				
			Passed Entrance Examination.	Passed First Arts Examination.	Taken degree of Bachelor of Arts.	Taken degree of Master of Arts.	Total.
Bengal	Deputy Magistrates and Deputy Collectors	237	72	44	58	28	202
	Sub-Deputy Magistrates and Sub-Deputy Collectors.	102	77	12	2	...	91
	Tahsildárs						
	Subordinate Judges	48*	5	4	27	1	37
	Munsifs	236	19	34	128	31	212
North-Western Provinces and Oudh.	Deputy Collectors	161	18	6	6	3	33
	Tahsildárs	225	7	3	1	...	11
	Subordinate Judges	36	2	...	2	..	4
	Munsifs	99	16	8	18	4	46
Punjab	Extra Assistant Commissioners	77	7	...	...	7	14
	Tahsildárs	123	5	...	5	...	10
	Superintendents of Settlements	22	...	1	...	...	1
	Extra Judicial Assistant Commissioners	17	2	...	1	...	3
	Munsifs	84	4	3	5	2†	14
Central Provinces	Extra Assistant Commissioners	44	9	3	2	2	16
	Tahsildárs	60	4	1	...	...	5
	Additional Tahsildárs (Munsifs)	17	2	3	2	...	7
Hyderabad Assigned Districts.	Extra Assistant Commissioners	17	7	1	1	...	9
	Tahsildárs	25	1	...	...	...	1
Assam	Extra Assistant Commissioners	29	5	1	10		16
	Sub-Deputy Collectors	14	9	3	1		13
	Tahsildárs	12	3	...	...		3
	Subordinate Judge	1	...	...	...		...
	Munsifs	10	1	...	8		9

The above statistics show that the educational attainments of officers included in the Executive and Judicial Services of the larger Provinces are most marked in Bengal and to a less extent in Madras and Bombay, while in the North-Western Provinces and Oudh and in the Punjab they are comparatively small, especially in the case of Tahsildárs. These results are doubtless due to the fact that in the Provinces of Upper India English education is in a comparatively backward condition, and that therefore it has not been possible to require proof of high educational attainments as a preliminary qualification for the several classes of appointments to the same extent as in the Lower Provinces of Bengal and in Southern and Western India, where general education is more advanced. In the Punjab, however, a commencement has recently been made in the direction of according a fuller degree of recognition to educational qualifications in the case of the appointments of Extra Assistant Commissioners and Munsifs, and the measures which have been taken with this object will doubtless in due course lead to a considerable change in the results.

53. Executive and Judicial Services: Present incumbents according to nationality.—The annexed table shows in regard to the existing incumbents of offices in the Executive and Judicial Services of the several Provinces their nationality according as they are—(1) Europeans or Eurasians not domiciled in India at the time of appointment; (2) Europeans or Eurasians

* Includes also Small Cause Court Judges.

† Also one Master of Oriental Learning.

domiciled in India; (3) Hindus; (4) Mahomedans; (5) Sikhs; (6) Parsis; and (7) others:—

Province.	Class of appointment.	Number of persons actually employed, including officiating officers.*	By whom held.						
			Europeans or Eurasians not domiciled in India at time of appointment.	Europeans or Eurasians domiciled in India.	Hindus.	Mahomedans.	Sikhs.	Parsis.	Others.
Madras	(a) *Executive Service*—								
	Deputy Collectors	67	...	12†	46	4	...	...	5
	Tahsildárs	155	...	2†	138	8	...	...	7
	Total Executive Service	222	...	14	184	12	...	...	12†
	(b) *Judicial Service*—								
	Subordinate Judges	17	...	2	15	...	...	...	...
	Munsifs	106	...	6	98	2	...	..	...
	Total Judicial Service	123	..	8	113†	2	.	...	...
	Total of both Executive Service and Judicial Service	345	...	22	297	14	...	...	12
Bombay and Sind.	(a) *Executive Service*—								
	I.—*Presidency Proper*—								
	Deputy Collectors	46	1	6	28	3	...	8	...
	Mamlatdárs	157	...	1	149	1	...	6	...
	II.—*Sind*—								
	Deputy Collectors	13	...	2	9	2	..	...	...
	Mukhtyárkárs	51	...	...	35	14	1	1	...
	Total Executive Service	267	1	9	221	20	1	15	...
	(b) *Judicial Service*—								
	Bombay and Sind—								
	Subordinate Judges	117	...	3	107	1	...	6	...
	Total of both Executive Service and Judicial Service	384	1	12	328	21	1	21	...
Bengal	(a) *Executive Service*—								
	Deputy Magistrates and Deputy Collectors	237	23	15	171	26	...	...	2
	Sub-Deputy Collectors and Tahsildárs	102	...	5	78	18	...	...	1
	Total Executive Service	339	23	20	249	44	...	...	3
	(b) *Judicial Service*—								
	Subordinate Judges	48	...	1	46	1	...	...	...
	Munsifs	236	..	...	227	8	...	...	1
	Total Judicial Service	284	...	1	273	9	...	...	1
	Total of both Executive Service and Judicial Service	623	23	21	522	53	...	...	4
North-Western Provinces and Oudh.	(a) *Executive Service*—								
	Deputy Collectors	161	2	17	90	51	1	...	...
	Tahsildárs	225	...	1	101	122	1	...	...
	Total Executive Service	386	2	18	191	173	2	...	...
	(b) *Judicial Service*—								
	Subordinate Judges	36	...	1	20	15	...	...	...
	Munsifs	99	...	...	51	47	...	...	1
	Total Judicial Service	135	..	1	71	62	...	...	1
	Total of both Executive Service and Judicial Service	521	2	19	262	235	2	...	1
	Carried over	21	2	19	262	235	2	...	1

* The figures given in this column are in all cases those furnished by Local Governments in reply to an enquiry regarding the nationalities of existing incumbents.

† From information received too late for incorporation in the body of the Report it is understood that three of the Deputy Collectors in the Madras Presidency entered under the head of "Europeans or Eurasians domiciled in India" and one of the Tahsildárs so entered are not domiciled in India, and that of the totals entered under the column "Others" in the Executive Service and under the column "Hindus" in the Judicial Service, the whole in the case of the former and six in the case of the latter are Native Christians.

Province.	Class of appointment.	Number of persons actually employed, including officiating officers.	By whom held.						
			Europeans or Eurasians not domiciled in India at time of appointment.	Europeans or Eurasians domiciled in India.	Hindus.	Mahomedans.	Sikhs.	Parsis.	Others.
	Brought over .	521	2	19	262	235	2	...	1
Punjab .	(*a*) *Executive Service*—								
	Extra Assistant Commissioners . . .	77	1	8	32	32	4	...	...
	Tahsildárs . . .	123	...	...	60	55	7	...	1
	Superintendents of Settlements . . .	22	...	...	15	6	1	...	...
	Total Executive Service	222	1	8	107	93	12	...	1
	(*b*) *Judicial Service*—								
	Extra Judicial Assistant Commissioners . .	17	4	5	5	3	...	...	...
	Munsifs . . .	84	...	...	49	31	3	...	1
	Total Judicial Service .	101	4	5	54	34	3	...	1
	Total of both Executive Service and Judicial Service . .	323	5	13	161	127	15	...	2
Central Provinces.	*Executive Service and Judicial Service*—								
	Extra Assistant Commissioners . . .	44	1	5	34	2	...	...	2
	Tahsildárs . . .	60	...	...	42	18	...	...	...
	Munsifs . . .	17	...	...	15	2	...	...	...
	Total of both Executive Service and Judicial Service . .	121	1	5	91	22	...	...	2
Hyderabad Assigned Districts.	*Executive Service and Judicial Service*—								
	Extra Assistant Commissioners . .	17	...	3	11	1	...	...	2
	Tahsildárs . . .	25	...	...	18	6	...	...	1
	Total of both Executive Service and Judicial Service . .	42	...	3	29	7	...	...	3
Assam .	(*a*) *Executive Service*—								
	Extra Assistant Commissioners . . .	29	2	1	22	3	...	...	1
	Sub-Deputy Collectors .	14	...	...	12	2	...	...	...
	Tahsildárs . . .	12	...	...	12	...	...	...	...
	Total Executive Service	55	2	1	46	5	...	...	1
	(*b*) *Judicial Service*—								
	Subordinate Judge . .	1	...	...	1	...	...	...	...
	Munsifs	10	...	...	9	1	...	...	...
	Total Judicial Service .	11	...	...	10	1	...	...	...
	Total of both Executive Service and Judicial Service . .	66	2	1	56	6	...	...	1
	General total of Executive Service . .	1,654	30	78	1,118	376	15	15	22
	General total of Judicial Service . .	934	5	26	748	138	3	6	8
	Grand total of both Executive and Judicial Services . .	2,588	35	104	1,866	514	18	21	30

The most noteworthy point in the above table appears to be the very small number of posts in the Executive and Judicial Services of the several Provinces held by Europeans and Eurasians who were not domiciled in India at the time of their appointment. The number of such persons employed in the Executive and Judicial Services throughout British India, all of whom, with the exception of two officers, were appointed previous to the issue of the orders of 1879, aggregates 35 only (or 1·3 per cent. of the total incumbents), while of these as many as 23 are employed as Deputy Magistrates and Deputy Collectors in the Lower Provinces of Bengal. In no other Province does the total of this class of persons so employed exceed two, except in the Punjab, where there are five officers who have been in the service of Government for many years. On the other hand, the total number of Europeans or Eurasians domiciled in India who are thus employed is 104, or about 4 per cent. of the total incumbents, of whom 78 hold appointments in the Executive Service and 26 in the Judicial Service. Of these, 22 are employed in the Madras Presidency, 21 in the Lower Provinces of Bengal, 19 in the North-Western Provinces and Oudh, 13 in the Punjab, and 12 in the Bombay Presidency. In regard to the distribution of appointments between Hindus and Mahomedans, the general results show that of a total of 2,588 persons employed in both the Executive and Judicial branches, 1,866, or 72·1 per cent., are Hindus, and 514, or 19·8 per cent., are Mahomedans. These proportions correspond more or less closely with the general proportions to the total population of Hindus and Mahomedans, which are approximately 75 per cent. and 20 per cent. respectively.

The following figures show the proportion of appointments held by Hindus and Mahomedans respectively as compared with the proportion of those classes to the total population of each Province:—

Province.	Hindus.			Mahomedans.		
	Percentage on total population.	Percentage on total number of persons employed in the Executive Service and in the Judicial Service of the several Provinces.		Percentage on total population.	Percentage on total number of persons employed in the Executive Service and in the Judicial Service of the several Provinces.	
Madras	91·4	Executive Service 82·8 Judicial Service 91·8	86	6·2	Executive Service 5·4 Judicial Service 1·6	4
Bombay and Sind	79·6	Executive Service 82·7 Judicial Service 91·4	85·4	18·3	Executive Service 7·4 Judicial Service ·8	5·4
Bengal	65·3	Executive Service 73·4 Judicial Service 96·1	83·7	31·2	Executive Service 12·9 Judicial Service 3·1	8·5
North-Western Provinces and Oudh.	86·2	Executive Service 49·4 Judicial Service 52·5	50·2	13·4	Executive Service 44·8 Judicial Service 45·9	45·1
Punjab	40·7	Executive Service 48·1 Judicial Service 53·4	49·8	51·3	Executive Service 41·8 Judicial Service 33·6	39·3
Central Provinces	75·3	Executive Service and Judicial Service.	75·2	2·4	Executive Service and Judicial Service.	18·1
Hyderabad Assigned Districts	90·7	Executive Service and Judicial Service.	69	7	Executive Service and Judicial Service.	16·6
Assam	62·7	Executive Service 83·6 Judicial Service 90·9	84·8	26·9	Executive Service ·9 Judicial Service ·9	9

From these figures it appears that the percentage of Hindus employed in the Executive and Judicial Services is greatly in excess of the population proportion in Bengal and Assam, and falls greatly short of it in the North-Western Provinces and Oudh and in the Hyderabad Assigned Districts, while the

proportion of Mahomedans so employed is largely in excess of the population proportion in the North-Western Provinces and Oudh, the Central Provinces, and the Hyderabad Assigned Districts, and falls greatly short of it in Bengal, Assam, Bombay, and the Punjab. In this respect again the variation between the two proportions is most marked in the Lower Provinces of Bengal and in Assam.

54. Executive and Judicial Services: Present incumbents (Hindus) according to caste.—General details under this head are given in the following table:—

Province.	Class of appointment.	By what caste of Hindus held.						
		Brahmans, including Sheuvis.	Kshatryas.	Kayasths (Parbhus).	Banyas and Vysias.	Shudras.	Others.	Total.
Madras . .	(a) *Executive Service*—							
	Deputy Collectors . . .	31	...	...	4	11	...	46
	Tahsildárs	94	2	...	4	38	...	138
	Total Executive Service .	125	2	...	8	49	...	184
	(b) *Judicial Service*—							
	Subordinate Judges . . .	8	...	...	...	6	1	15
	Munsifs	69	...	...	5	19	5	98
	Total Judicial Service .	77	...	...	5	25	6	113
	Total of both Executive Service and Judicial Service	202	2	...	13	74	6	297
Bombay and Sind.	(a) *Executive Service*—							
	I.—Presidency Proper—							
	Deputy Collectors . . .	19	5	2	...	...	2	28
	Mamlatdárs	118	3	16	10	...	2	149
	II.—Sind—							
	Deputy Collectors . . .	2	2	2	2	...	1	9
	Mukhtyárkárs	...	5	8	13		9	35
	Total Executive Service .	139	15	28	25	...	14	221
	(b) *Judicial Service*—							
	Bombay and Sind—							
	Subordinate Judges . . .	72	11	9	13	1	1	107
	Total of both Executive Service and Judicial Service	211	26	37	38	1	15	328
Bengal . .	(a) *Executive Service*—							
	Deputy Magistrates and Deputy Collectors	58	...	70	4	10	29	171
	Sub-Deputy Collectors and Tahsildárs	26	...	36	1	8	7	78
	Total Executive Service .	84	...	106	5	18	36	249
	(b) *Judicial Service*—							
	Subordinate Judges . . .	22	...	15	2	3	4	46
	Munsifs	72	...	98	5	33	19	227
	Total Judicial Service .	94	...	113	7	36	23	273
	Total of both Executive Service and Judicial Service	178	...	219	12	54	59	522
North-Western Provinces and Oudh.	(a) *Executive Service*—							
	Deputy Collectors . . .	32	19	27	10	1	1	90
	Tahsildárs	24	15	56	4	...	2	101
	Total Executive Service .	56	34	83	14	1	3	191
	(b) *Judicial Service*—							
	Subordinate Judges . . .	12	...	5	3	...	...	20
	Munsifs	21	3	19	8	..	...	51
	Total Judicial Service .	33	3	24	11	...	...	71
	Total of both Executive Service and Judicial Service . . .	89	37	107	25	1	3	262

Province.	Class of appointment.	By what caste of Hindus held.						
		Brahmans, including Shenvis.	Kshatryas.	Kayasths (Parbhus).	Banyas and Vysias.	Shudras.	Others.	Total.
Punjab . .	(a) *Executive Service*—							
	Extra Assistant Commissioners .	9	14	1	5	...	3	32
	Tahsildárs	15	26	9	4	2	4	60
	Superintendents of Settlements .	5	5	2	1	1	1	15
	Total Executive Service .	29	45	12	10	3	8	107
	(b) *Judicial Service*—							
	Extra Judicial Assistant Commissioners	...	2	1	1	...	1	5
	Munsifs	12	25	5	4	3	...	49
	Total Judicial Service .	12	27	6	5	3	1	54
	Total of both Executive Service and Judicial Service	41	72	18	15	6	9	161
Central Provinces.	*Executive Service and Judicial Service*—							
	Extra Assistant Commissioners .	25	2	5	...	2	...	34
	Tahsildárs	23	3	14	...	2	...	42
	Munsifs	14	...	1	...	...	...	15
	Total of both Executive Service and Judicial Service	62	5	20	...	4	...	91
Hyderabad Assigned Districts.	*Executive Service and Judicial Service*—							
	Extra Assistant Commissioners .	8	...	2	1	...	...	11
	Tahsildárs	11	...	3	3	1	...	18
	Total of both Executive Service and Judicial Service	19	...	5	4	1	...	29
Assam . .	(a) *Executive Service*—							
	Extra Assistant Commissioners .	12	...	6	1	...	3	22
	Sub-Deputy Collectors . .	2	...	6	...	...	4	12
	Tahsildárs	3	...	6	...	...	3	12
	Total Executive Service .	17	...	18	1	...	10	46
	(b) *Judicial Service*—							
	Subordinate Judge . . .	...	...	1	...	...	...	1
	Munsifs	4	...	4	1	...	...	9
	Total Judicial Service .	4	...	5	1	...	..	10
	Total of both Executive Service and Judicial Service . . .	21	...	23	2	...	10	56
	General Total of Executive Service .	531	101	272	67	76	71	1,118
	General Total of Judicial Service .	373	46	182	46	70	31	748
	Grand Total of both Executive Service and Judicial Service . . .	904	147	454	113	146	102	1,866

The foregoing table is of interest as showing generally the castes of the Hindu community which succeed in gaining employment in the subordinate departments of the Civil Administration, but particularly as displaying the very considerable extent to which appointments in the Executive and Judicial Services are held by Hindus belonging to the Brahman or Shenvi caste. It will be noticed that the number of persons thus employed belonging to the Brahman caste is sixfold that of any other Hindu caste, except the Kayasths (who, however, outnumber the Brahmans in the North-Western Provinces and Oudh, Bengal, and Assam), while it is nearly double the latter, and represents a proportion of about 35 per cent. on the total number of persons employed in these branches of the public service. This result is especially noteworthy when it is remembered that the number of males

of the Brahman caste bears a proportion of only between 7 and 8 per cent. to the total male Hindu population of British India. Under this head the figures for the several Provinces, excluding Coorg, are:—

	Percentage of Brahmans (male) to total male Hindu population of each Province.	Percentage of Brahmans employed in the Executive and Judicial Services to the total number of Hindus so employed in each Province.
Madras	3·8	68
Bombay and Sind	5·5	64·3
Bengal	6·1	34
North-Western Provinces and Oudh	12·2	33·9
Punjab	11·3	25·4
Central Provinces	4·3	68·1
Assam	3·9	37·5
Hyderabad Assigned Districts	3·1	65·5

It will be observed that the difference between the percentages is least marked in the Punjab and in the North-Western Provinces and Oudh, while it gradually increases in Bengal and Assam, and reaches its maximum in Bombay, the Central Provinces, Madras, and the Hyderabad Assigned Districts.

55. Executive and Judicial Services: Extent to which present incumbents belong to Provinces other than those in which they are employed.—The following table gives the necessary details under this head:—

1	2	3	4									5								
Province.	Total number of persons employed in the Executive Service.	Total number of persons employed in the Judicial Service.	NUMBER OF PERSONS INCLUDED IN COLUMN 2 WHO DO NOT BELONG TO THE PROVINCE CONCERNED, WITH THE PROVINCE TO WHICH THEY BELONG.									NUMBER OF PERSONS INCLUDED IN COLUMN 3 WHO DO NOT BELONG TO THE PROVINCE CONCERNED, WITH THE PROVINCE TO WHICH THEY BELONG.								
			Madras Presidency.	Bombay Presidency.	Bengal.	North-Western Provinces and Oudh.	Punjab.	Central Provinces.	Hyderabad Assigned Districts.	Native States.	TOTAL.	Madras Presidency.	Bombay Presidency.	Bengal.	North-Western Provinces and Oudh.	Punjab.	Central Provinces.	Hyderabad Assigned Districts.	Native States.	TOTAL.
Madras*	222	123	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	..	...	...
Bombay and Sind	267	117	2	...	...	...	...	...	...	1	3	1	...	...	...	...	...	...	...	1
Bengal	339	284	...	...	...	...	...	...	...	...	...	...	...	..	...	...	...	...	...	...
North-Western Provinces and Oudh	386	135	...	...	7	...	11	1	...	12†	31	...	...	14	...	7	...	...	8‡	29
Punjab	222	101	...	...	...	7	...	...	...	...	7	...	...	...	6	...	...	...	...	6
Central Provinces	121		3	16	7	28	2	...	2	1	59	...	...	...	...	...	...	...	...	...
Hyderabad Assigned Districts	42		...	17	...	2	...	1	...	8	28	...	...	...	...	...	...	...	...	...
Assam	55	11	...	...	27	...	...	...	...	...	27	...	...	10	...	...	...	...	...	10

It may be doubtful whether the above figures are absolutely accurate (especially under the head of 'Native States'), but on the probable assumption that they are fairly correct, it will be seen that, except in the case of the North-Western Provinces and Oudh and of the smaller Administrations where a greater necessity exists than elsewhere for drawing upon the resources of the larger Provinces, the Executive and Judicial Services in the several Provinces are recruited almost exclusively from Natives of the Provinces

* It has been brought to notice that in the Madras Presidency some Natives of Ceylon are employed in the Executive and Judicial Services.

† Including six Natives of Kashmir, one Native of Kabul, and two persons classed as Mahrattas.

‡ Including seven Natives of Kashmir.

concerned. This result corresponds with the replies received from Local Governments which are to the effect that, although no express rule exists on the subject, appointments in the Executive and Judicial Services may for practical purposes be said to be restricted to persons *bonâ fide* resident in the several Provinces.

56. Miscellaneous appointments.—The only other appointments to which it is necessary to refer in this Chapter are certain miscellaneous appointments which are not reserved for Covenanted Civilians and are ordinarily held by members of the Uncovenanted Service. These appointments consist of (1) appointments of Presidency Magistrates; (2) appointments of Judges of Presidency Small Cause Courts; and (3) appointments of Judges of Small Cause Courts situated beyond the local limits of the ordinary civil jurisdiction of a High Court established in a Presidency town. The number and pay of these appointments, with the nationality of the present incumbents, substantive and officiating, are shown in the following table:—

Province.	APPOINTMENTS OF PRESIDENCY MAGISTRATES.				APPOINTMENTS OF SMALL CAUSE COURT JUDGES.							
					PRESIDENCY SMALL CAUSE COURT JUDGES.				OTHER SMALL CAUSE COURT JUDGES.			
	Number.	Pay.	By whom held.		Number.	Pay.	By whom held.		Number.	Pay.	By whom held.	
			Substantive.	Officiating.			Substantive.	Officiating.			Substantive.	Officiating.
		₹				₹				₹		
Madras	1	1,200	European (Staff Corps Officer).	Native*	1	2,000	European	...	...	...	...	...
	1	800	Native	Native	1	1,000	Native	...	...	...	...	...
	1	350	Native	...	1	1,000	Native	...	...	...	...	...
	1	350	Native	...	...	...	...	...	...	...	...	...
Bombay and Sind.	1	†2,000	European.	European	1	2,000—2,500	European	Native	1	‖1,200	Native	Native.
	1	‡1,200	Native	...	1	1,500	Native	European	1	¶1,000	Native	Native.
	1	§1,000	Native	...	1	1,000—1,250	European	Native	1	800	European	...
	...	...	...	...	1	1,000	Native	Native	1	800	Native	...
Bengal	1	1,500	European	European	1	2,000—2,500	European	...	1	1,500	Native	...
	1	1,250	Native	Native	1	1,400	European	European	...	...	...	...
	...	...	...	...	1	1,300	European	Native	...	...	...	...
	...	...	...	...	1	1,125	European	European	...	...	...	...
	...	...	...	...	1	1,000	European	...	...	...	...	...
North-Western Provinces and Oudh.	...	...	...	...	...	...	...	...	1	1,200	European (Covenanted Civilian).	Native.
	...	...	...	...	...	...	...	...	1	800-1,000	Native	...
	...	...	...	...	...	...	...	...	1	800	Native	Native.
	...	...	...	...	...	...	...	...	1	800	Native	...
Central Provinces.	...	...	...	...	...	...	...	...	1	1,000	European (Staff Corps Officer).	Native.
	...	...	...	...	...	...	...	...	1	800	European (Covenanted Civilian).	European.

The general results shown above may be summarized thus. Of nine appointments of Presidency Magistrates three are held substantively by Europeans and six by Natives (of whom four are pure Natives and two are Statutory Natives). Of twelve appointments of Presidency Small Cause Court Judges eight are held permanently by Europeans and four by Natives (of whom one is

* The term "Native" as used in this table includes Statutory Natives.
† To be reduced to ₹1,800 on the occurrence of a substantive vacancy.
‡ To be reduced to ₹1,000 on the occurrence of a substantive vacancy.
§ To be reduced to ₹800 on the occurrence of a substantive vacancy.
‖ To be reduced to ₹900 on the occurrence of a substantive vacancy.
¶ To be reduced to ₹800 on the occurrence of a substantive vacancy.

a Statutory Native); while of eleven other Small Cause Court Judgeships four are held permanently by Europeans and seven by Natives. All the above appointments are made by Local Governments and no legal bar exists to the appointment of Natives of India in any case.

It should be explained in regard to Small Cause Court Judgeships other than those in the Presidency Towns that the appointments shown are confined to those the holders of which perform Small Cause Court duties only, and that many other subordinate judicial officers on the regular staff are invested with Small Cause Court powers which they exercise in addition to their ordinary duties. This system of investing selected members of the Subordinate Judicial Staff with Small Cause Court powers represents, indeed, the ordinary practice, separate appointments of Judges of Small Cause Courts being only created where they are necessary owing to local requirements and where the work is sufficient to occupy the whole time of an officer. In the Punjab, Small Cause Court Judgeships no longer exist as separate appointments, but three such appointments in that Province are included in the charges held by Extra Judicial Assistant Commissioners.

It is understood that all the above appointments, whether those of Presidency Magistrates or Judges of Small Cause Courts at the Presidency towns or elsewhere, are subject to the rule laid down in 1879 whereby the sanction of the Government of India or of the Secretary of State is necessary to the appointment, whether permanent or temporary, of persons not being Natives of India, unless the person appointed belongs to the Covenanted Civil Service or to the Staff Corps. The papers placed at the disposal of the Commission do not enable it to say with certainty whether those orders have been carried out in all cases; but it may be observed that in some instances appointments, notably of Judges of Presidency Small Cause Courts, seem to have been conferred upon Europeans although there is nothing to show that qualified Natives were not available.

CHAPTER V.

REPLIES TO ENQUIRIES MADE BY THE GOVERNMENT OF INDIA IN REGARD TO THE COVENANTED CIVIL SERVICE AND THE COMPETITIVE SYSTEM.

57. Preliminary.—Before proceeding to discuss the particular questions relating to the Covenanted Civil Service, to which the attention of the Commission is more especially drawn in the Resolution of the Government of India, dated the 4th of October 1886, the Commission desires briefly to refer to some of the principal considerations by which it has been influenced. The terms of the general* instructions conveyed to the Commission do not imply that the time has as yet arrived when it would be possible to devise any scheme finally decisive of the extent to which the administration of British India should be committed to indigenous agency, nor do they indicate any departure from principles accepted as controlling the claims of all subjects of the Crown to employment in the public service. On the contrary, they permit the suggestion of a scheme in a form suitable to the varying circumstances of the several Provinces of the Empire, and require only that it should be susceptible of modification, as the circumstances of each Province justify a further approach to the end proposed. Emphasizing the desire that full justice should be done to the claims of Natives to higher and more extensive employment in the public service, they impose on the Commission the duty of examining the grounds on which such claims are based, but do not allow it to disregard considerations to which such claims must be subject; and while they recognize the claims of one class, they do not ignore the claims of other classes to equal facilities of official advancement.

58. Maintenance of Section 87 of the Statute 3 and 4 Will. IV, Cap. 85, and of the Proclamation of 1858.—Consequently at an early stage in its deliberations, the Commission came unanimously to the conclusion that it could not support any proposal submitted to it as sound in itself or likely to be a final solution of the problems embraced in its enquiry, which involves a departure from the principle enacted in Section 87 of the Statute 3 and 4 Will. IV, Cap. 85, or from the policy set forth in Her Majesty's Proclamation of 1858.

Section 87 of the Statute 3 and 4 Will. IV, Cap. 85, enacted that "no Native of the said territories (India), nor any natural-born subject of His Majesty resident therein, shall, by reason only of his religion, place of birth, descent, colour, or any of them, be disabled from holding any place, office, or employment under the said (East India) Company." In a Despatch No. 44, dated the 10th of December 1834, the Court of Directors informed the Government of India that they understood the meaning of this enactment to be that, whatever other tests of qualification might be adopted, distinctions of race or religion should not be of the number; and that no subject of the Crown, whether of Indian or British or mixed descent, should be excluded either from the posts usually conferred on Covenanted Servants in India, or from the Covenanted Service itself, provided he be otherwise eligible consistently with the rules and agreeably to the conditions observed and exacted

* "In regard to its object, the Commission would, broadly speaking, be required to devise a scheme which may reasonably be hoped to possess the necessary elements of finality, and to do full justice to the claims of Natives of India to higher and more extensive employment in the public service."

in the one case and in the other. Observing that the object of the enactment was not to ascertain qualification, but to remove disqualification, and that the Indian Government was aware of, and had in an important degree carried into effect, their desire that Natives should be admitted to places of trust as freely and extensively as a regard for the due discharge of the functions attached to such places would permit, but that a line of demarcation, to some extent in favour of Natives, to some extent in exclusion of them, had been maintained, the Directors declared that the enactment obliterated this line of demarcation, or rather substituted for it another wholly irrespective of the distinction of race, and that thenceforth fitness was to be the criterion of eligibility. And they instructed the Government of India that to this altered rule it would be necessary that it should both in its acts and its language conform.

The Directors at the same time proceeded to point out that while the range of appointments accessible to Native and mixed races would be enlarged, settlers from Europe would find their way to the country and probably furnish candidates for the posts to which the Native and mixed races would have admittance; and that men of European enterprise and education would also appear in the field. Influenced by these prospects, they urged the Government of India to increased exertion to provide such opportunities of education, instruction in science, and moral culture, that members of the indigenous races aspiring to office might be qualified to meet their European competitors. While they, however, expressed their anxious desire that these results should be attained, the Directors reminded the Government of India that free access to office was chiefly valuable when it is a part of general freedom; that it could little affect the bulk of the people under any Government; and that by repressing crime, by securing and guarding property, by creating confidence, by ensuring to industry the fruit of its labour, and by protecting men in the undisturbed enjoyment of their rights and in the unfettered exercise of their faculties, Governments best minister to the public wealth and happiness.

The instructions of the Court of Directors, it will be seen, went beyond the terms of the enactment, for while the latter simply declared that neither religion, place of birth, nor race should disqualify any subject of the Crown resident in India from employment in the public service, the instructions required the Government of India to admit Natives to places of trust as freely and extensively as their individual aptitudes justified, and contemplated the concurrence of persons of mixed race and men of European enterprise and education in the competition for employment in the service of the State. It was at the same time intimated that fitness was the essential condition for admission to office, and that the securing to all classes the benefits of a wise, impartial and efficient administration was to be the object primarily regarded. The remarks of the Court of Directors have so important a bearing on the questions before the Commission, that an extract from the Despatch is printed at length as Appendix L to this Report.

In pursuance of the policy indicated in the Despatch of 1834, measures were taken for the diffusion of learning in India; and it is noticeable that the original proposals contemplated an education of a type so distinctly European that facilities for the study of Oriental literature were designedly omitted. Although these were in time supplied, the Government of India has persistently endeavoured, by the establishment of colleges and the incorporation of Universities, to secure for the youth of this country a liberal education of a

character and aiming at standards commensurate with the requirements of modern civilization. To what extent these institutions have prepared their students for the duties and responsibilities of the higher offices in the public service, will be noticed hereafter.

The Proclamation issued by Her Majesty on November 1st, 1858, on assuming the direct government of British India, closely followed the terms of the Despatch of 1834:—"It is Our further will that, so far as may be, Our subjects, of whatever race or creed, be freely and impartially admitted to offices in Our service, the duties of which they may be qualified by their education, ability, and integrity, duly to discharge." Whatever may be the legal effect of the provisions of the Statute 3 and 4 Will. IV, Cap. 85, Section 87, and of Her Majesty's Proclamation, the Commission has interpreted its instructions as prohibiting it inferentially from receding from principles adopted in the government of India for more than half a century. The duty devolving on the Commission of examining the claims of Natives, and the direction given to the Sub-Committee to ascertain the relative qualifications of all classes who sought employment in the Departments to which these enquiries extended, have, it must be admitted, necessitated the production of evidence as to the respective qualifications of the several races of Her Majesty's subjects for the higher offices of the administration. But neither the evidence tendered to the Commission nor that tendered to the Sub-Committee would justify any recommendation involving a departure from the principles to which advertence has been made. So far as the evidence denotes the existence of race characteristics, it affirms conclusions which might have been inferred from the history and circumstances of the races who compete for employment in British India; but it also establishes that among the cultivated classes of the most important races in India, there are to be found men who possess in a high degree qualities which are not generally attributed to the race of which they are members; and inasmuch as race characteristics are greatly modified by education, and are generally most conspicuous among the less instructed classes, it cannot be doubted that the characters of the Native and mixed races are being, and will be, modified by the movements, educational, political and commercial, of the century, and that to some extent the character of the domiciled Europeans must be affected, though in a much more limited degree, by the circumstances of the country in which they have made their home. With regard to such race characteristics as are persistent, it may reasonably be presumed that when access to the public service in every Department is freely thrown open to all races, individuals will select the field of employment most congenial to their tastes and offering the highest rewards for the qualities in which they excel; and indeed in the evidence taken in regard to some of the Departments, support is afforded to this presumption. In view of these considerations the Commission is led to conclude that any rule or practice founded on an alleged race disqualification would not only be departure from the policy adopted by the British Parliament for upwards of half a century, but would also be invidious and inexpedient, and that the only just criterion is that of fitness ascertained, where it is possible, by adequate tests, and where this is impossible, by impartial selection.

As the progress of education excites in constantly increasing numbers of the Natives of India an interest in their political condition, the knowledge that men of their own race and creed are freely associated with Englishmen in

the government of the country will minimize any sense of subjection, and enhance the sentiment of a common citizenship—a sentiment which it is at once the interest of the Empire and the desire of her most eminent politicians to inspire and confirm. The extent to which this sentiment is already entertained by the educated classes among Hindus and Mahomedans appears to a very marked degree in the evidence recorded by the Commission.

Lastly, the Commission is alive to the magnitude of the interests which may be affected by any ill-considered interference with the existing administrative system. Under that system, modified from time to time as education has enlarged Native qualifications, and organized Government has afforded a more favourable field for Native ability, India has entered and made a rapid advance on the path of modern civilization. The Commission believes it has avoided any suggestion which, if carried into effect, would result in retarding further progress, or deter foreign capital from lending its aid in the encouragement of the industry and the development of the resources of the country.

59. Question of maintaining the competitive system.—The fact must be prominently noticed that the Covenanted Service consists of a comparatively small number of officers, being only 941 for the whole of British India (excluding Burma), and that by far the greater part of the work of administration is discharged by the Executive and Judicial branches of the Uncovenanted Service, of which 97½ per cent. are persons permanently domiciled in India and all but 5¼ per cent. are Natives* of India. The number of Covenanted "charges," or, in other words, the actual working body of the Covenanted Civil Service present on duty and filling the posts in the direct executive and judicial administration of British India reserved for them, represents a proportion of only one charge to every 1,048 square miles of area, and to every 254,693 of population. It is clear, therefore, that the duties which officers of the Covenanted Civil Service are called upon to discharge must involve wide and serious responsibilities, and require very high qualifications and special training in the agency employed. Furthermore, as the Covenanted Civil Service may be said to represent the only permanent English official element in India, the importance of recruiting that service with reference to the maintenance of English principles and methods of government cannot, in the opinion of the Commission, be overrated. Any uncertain note of policy in this respect might produce undesirable results. The Commission has kept these important considerations prominently before it throughout its deliberations, and has consequently been unable to view with favour any proposals or suggestions which seemed calculated either to impair the efficiency of the Covenanted Civil Service or to shake confidence in the permanency of the general principles on which the administration of India has in the past time been so successfully conducted.

* 2,449 officers out of 2,588.

In connection with the Covenanted Civil Service, the first question which was considered by the Commission related to the mode of admission, and on this point the Commission was unanimously of opinion that admission to the branch of the Civil Service, known as the Covenanted Civil Service, should continue on the system established by Section 32 of the Statute 21 and 22 Vic., Cap. 106, *i.e.*, by competitive examination open to all natural-born subjects of Her Majesty and held in accordance with Regulations made from time to time under the Statute. In dealing with this matter the Commission believes that it

is only necessary to refer to the experience of upwards of thirty years, the results of which have justified the arguments of those who advocated the introduction of the competitive principle in 1853. On more than one occasion enquiries have been made by Government into the working of the competitive system, with the result that it has been generally acknowledged to have procured for the ranks of the Indian Civil Service officers who, as a body, are eminently qualified for the performance of the duties which devolve upon them, and many of whom have earned a reputation for administrative capacity of a high order. The Commission, therefore, believes itself to be justified in the conclusion that, apart from questions of detail as to the age of candidates and the subjects, standards, and conditions of examination, the general results of competition, as applied to the Indian Civil Service, have been satisfactory, and that the system should accordingly be maintained. In regard to the admission to the open competitive examination of persons being subjects of Native States in India, it appears to the Commission that the question is one which is likely to arise, but that, as it is more or less of a political nature, it is a matter for the consideration of the Government how to dispose of it.

60. Points of enquiry: View likely to be taken by the Native community regarding competition in India: Advantages and disadvantages of such a system.—Of all the matters which have been referred for the consideration of the Commission, there is perhaps none which is more important in itself, and to which greater importance is attached by the educated classes, than the introduction of a competitive examination in India for the Civil Service, to be held simultaneously with the competition in England, the examinations being identical in all respects. The evidence tendered before the Commission on this point may, broadly speaking, be divided under two heads, namely—(1) that given by witnesses belonging to those classes which have made the greatest progress in education; and (2) that given by others who feel that, in the present circumstances of the country, important classes of the community are practically debarred from success in examinations designed mainly as tests of educational qualification. Under the first may be included the majority of the witnesses who belong in Northern, Central, and Southern India to the Hindu community, and in Western India partly to that community and partly to the Parsis. Under the second may be included the majority of the witnesses belonging to the Mahomedan community and to classes whose educational progress has, for various reasons, been retarded. Such being the nature of the evidence tendered before the Commission, it is obviously impossible to say that any common view in regard to competitive selection in India is held by the Native community.

Briefly stated, the arguments usually advanced by those who favour the plan of a competitive examination in India are that the introduction of some such system is necessary to remove obstacles which at present preclude Natives of India from competing on terms of equality with British-born subjects of Her Majesty, and that the interposition of such obstacles is inconsistent with the Statute of 1833 and the Queen's Proclamation of 1858. In the first place, there are religious and caste objections, to which the Commission will hereafter refer, which debar members of certain classes from crossing the sea. But even when these objections do not exist, it is argued with much force that Indian parents are naturally reluctant to send their children at a comparatively early age to a distant country, where they are exposed to many temptations,

and where sufficient supervision may not be exercised over them; and it is still more strongly insisted that considerations of expense deter many Native youths from appearing as candidates at the examination in England, especially in view of the risk of failure, which, under the conditions of the English examination, must always be great in the case of Indian candidates. These difficulties, it is said, deter many of the best Natives of India from seeking entrance to the Covenanted Civil Service, and practically have the effect of a race disqualification.

On the other hand, it is argued that, in the present circumstances of social life in India, open competition in that country would not justify, to the same extent as similar competition in England, the presumption that the successful candidates would possess in a sufficient degree the qualities essential for high administrative office; that Indian schools and colleges do not at the present time supply an education and training of the high and liberal kind considered to be a necessary qualification for admission to the Indian Civil Service, and that an open competition in India for the Covenanted Civil Service would operate with inequality, excluding altogether some important classes of the community, while giving undue advantages to others. It is further argued that it could scarcely fail,—in view, on the one hand, of the large number of candidates who would offer themselves for examination, and, on the other hand, of the small number who could, under any circumstances, be successful,—to create a large disappointed, and thereby probably discontented, class which would cause considerable embarrassment to the Government. Doubts have been also expressed whether pressure would not sooner or later be brought to bear on the Government with a view to make the examination of a less English and a more Oriental character and to adjust it on terms more favourable to Native candidates. Again some witnesses have referred to the injurious effect which, in their opinion, would be exercised upon the development of education in this country by an open competition for the Civil Service. It is urged that in view of the value of the prizes offered, such an examination would be followed by the creation of private establishments for the main, if not the sole, purpose of offering special preparation to intending candidates, while the regular educational institutions would scarcely be able to resist the temptation of so shaping the course of their study as to secure success at the Indian examination rather than to impart a general liberal education to the mass of their scholars. Some witnesses, indeed, have expressed the opinion that the effect of unqualified competition in India on general education would be so disastrous as to constitute a national evil of great ultimate importance. There are two other objections taken to the establishment in India of competitive examinations for the Civil Service to which it is necessary to refer, namely, the difficulty which would be experienced in maintaining the secrecy of the examination papers, and in making satisfactory arrangements for that portion of the examination which is conducted *vivâ voce*. It is said that experience in connection with examinations in India has shown very real difficulties to exist under the former of these heads, which, if not actually insurmountable, are at all events sufficient to suggest the necessity for the greatest caution. As regards the *vivâ voce* examination, it is contended that it would be impossible to secure either uniformity of test or the high standard exacted in England if the work were undertaken by the professional staff available in India.

On a full consideration of the evidence before it, the Commission has come to the conclusion that it is inexpedient to hold an examination in India for the Covenanted Civil Service simultaneously with the examination in London. With regard to the bearing of the Statute of 1833 and the Proclamation of 1858 on the question, the Commission is of opinion that the provisions of the Statute and the declarations embodied in the Proclamation are not affected by the place of examination. The question is simply one as to the qualifications required and the arrangements under which officers possessing such qualifications can best be secured. The object of the Government of India in recruiting in England a limited staff of officers, who after a training in India might be entrusted with the more important executive and judicial charges, was (*inter alia*) to secure an administration conducted so far as possible on principles and by methods in harmony with modern civilization. The circumstances of India rendered it necessary that, save in exceptional instances, officers with an education which promised the possession of the qualities necessary to achieve this result, should be obtained in England; and from the time the competitive system was introduced, it has been understood that the examination was to bear a distinctively English character, and to constitute a test of English qualifications. The most natural arrangement, therefore, was that the examination should be held in England, as being the centre of the educational system on which it was based. This conclusion appears to the Commission to be right. In order to attract to its service youths whose talents entitled them to aspire to the substantial rewards of political or professional life in England, it was necessary for the Government to offer compensation for the prospects surrendered in the form of liberal salaries. It has been justly objected that the emoluments of these officers entail a serious charge on the Indian revenues, and that the financial interests of the State require that the recruitment in England should be curtailed and an indigenous agency substituted, where and in so far as the social and political progress of India renders it possible. Of those who advocate a contemporaneous examination in India, the majority are willing to allow that, in order to secure progress, it is for the present necessary that the administration should be conducted by the same methods and on the same principles as in the past, and that the higher offices of the administration must in the main be held by officers of English education. By limiting the recruitment in England to such a strength only as is required to fill the highest and leaven the upper ranks of the service, an opportunity of advancement to places of trust and responsibility is afforded to those whose scruples debar them from the competition in England, while the expenditure incurred in recruiting Indian talent at the rates necessary to attract qualified English agency is avoided. In regard to the character of the education supplied by schools and colleges in India, the Commission concurs with those witnesses who consider that these institutions, which are of comparatively recent growth, cannot at present be relied upon to supply a general education of the high and liberal kind contemplated as a necessary qualification for admission to the Indian Civil Service. Whether within any reasonable time the educational conditions prevalent in India may attain a degree of development which would justify simultaneous examinations in India for the Covenanted Civil Service, the Commission is unable, from any evidence before it, to form an opinion. But it considers that such an arrangement could not be made at present without injury to the public interests and the

substitution of qualifications of a different kind from those now required. The Commission is further of opinion that for the present and for some time to come inequality of a more marked kind than any that can at present be reasonably complained of would result from an open competition for the Covenanted Civil Service if held in India. The general correctness of this conclusion appears to be borne out by the statistics given in the tables attached to this Report as Appendix M. These statistics show the principal classes of the community to which the students belong who have, during recent years, passed certain University examinations in India; the particular castes to which the successful Hindu candidates belong in the case of the Madras University (from which University alone the necessary information under this head could be procured); and the number of successful and unsuccessful candidates at certain Arts examinations held at the Indian Universities since those institutions were established in 1864.

In regard to the injurious effects which, in the opinion of some witnesses, would be exercised upon the development of education in this country by a competitive examination for the Civil Service if held in India, the Commission would refer to the fact that the tendency indicated has been felt as an evil even in England, where the institutions for higher education are numerous enough to admit of the easy application of counterbalancing checks. In India, on the other hand, one of the chief difficulties experienced is that of making the students appreciate the value of education for itself, and some authorities complain that the system of "cramming" already prevails to a pernicious extent.

Lastly, the Commission attaches much importance to that part of the examination which is conducted *vivâ voce*. When the conduct of the competitive examination in England was made over to the Civil Service Commissioners in 1858, the Commissioners applied the *vivâ voce* test, not only to English, Greek, and Latin, with reference to which subjects alone it had been used in the preceding years, but also to all other subjects; and they wrote:* "we have every reason to believe that the alteration has been a beneficial one." In a later Report† the Commissioners observed: "In each subject there is a *vivâ voce* examination, to which we attach great importance, introduced for the express purpose of fully testing the genuine character of a candidate's knowledge, in addition to calling into play those qualities which are little, if at all, elicited in an examination by written papers, *viz.*, his readiness, self-reliance, and moral courage." These views meet with the general concurrence of the Commission. The *vivâ voce* examination enables a skilful and experienced examiner to ascertain whether the written answers of a candidate represent the results rather of a highly cultivated memory than of a thorough comprehension of the subjects he has studied. At the same time it tests the possession by candidates of other qualities of considerable importance to persons who aspire to enter the Indian Civil Service. Moreover, in certain subjects—for instance, the Natural Science group—a *vivâ voce* examination could not be abandoned without seriously diminishing the value of the tests applied. On this subject generally the Commission concurs in the‡ remarks made in 1858 to the Secretary of State by the Civil Service Commissioners when discussing the Regulations to be framed under the

* Fourth Report of Her Majesty's Civil Service Commissioners, page 26.

† Tenth Report of Her Majesty's Civil Service Commissioners, page 6.

‡ Fourth Report of Her Majesty's Civil Service Commissioners, page 227.

provisions of Section 32 of the Statute 21 and 22 Vic., Cap. 106:—"Regard being had to the peculiar position of Indian Civil Servants and the magnitude of the interests committed to their charge, it may be said, without exaggeration, that errors of principle in the selection of those officers, whether arising from imperfect knowledge or partial views, might lead to results the full evil of which would not be discovered until much irremediable mischief had been occasioned."

In deciding against the adoption of competition in India for the Covenanted Civil Service, the Commission is far from advocating the interposition of any unnecessary obstacles to the competition of any class of Her Majesty's subjects at the examination for the Indian Civil Service held in England. The object of the Commission is to make such recommendations as it considers calculated to secure the most efficient class of public servants and, consistently with this paramount condition, to do full justice to the claims of Natives of India to higher and more extensive employment in the public service. It believes that Natives of India who undergo English training and show the degree of enterprise, strength of character, and other qualities without which success can scarcely be expected in the English examination, are to be welcomed as suitable recruits for the Covenanted Civil Service. But it cannot recommend any alteration of the conditions attached to the English examination merely to facilitate the entry of any one qualified class of Her Majesty's subjects more than another to the Indian Civil Service. Holding, as it does, an opinion adverse to the introduction of a competitive examination in India for the Covenanted Civil Service, the Commission is unable to answer the enquiries put to it as to the incidents which should attach to such an examination.

The members of the Commission named in the margin do not share in the apprehensions expressed above as to the probable result of the introduction of an examination in India for the Covenanted Civil Service simultaneous with the examination in England; and they wish it to be noted that they have not deemed it necessary either to state at length the arguments in support of the view they have taken, or to meet the objections raised against it, as the scheme* which is now unanimously recommended by the Commission is, in their opinion, well calculated to secure the end they have in view, and at the same time is not open to the objections urged against simultaneous examinations.

The Hon'ble Romesh Chunder Mitter, B.L.
M. R. Ry. Salem Ramaswami Mudaliyar, B.L.
Rao Bahadur Krishnaji Lukshman Nulkar.

61. Points of enquiry: Character and capacity as public servants of Natives of India obtained through the open competition in England for the public service in India: View taken by large and important classes in India regarding the competition of Natives at the examination in England.—It may be convenient here to notice two points relative to the present competitive system in its bearing upon Natives of India to which attention is drawn in the instructions to the Commission. The first is "whether there is reason to believe that the young Natives obtained under the existing system of the open competition in England for the public service in India are the best as regards character and capacity who could be got for it under any system." The second is "whether such a system is favourably looked upon by large and important classes in India."

* See Chapters VII and VIII of this Report.

It is difficult, without actual experience of other systems which have not been tried, to give a precise answer to the first of these questions in the exact terms in which it is framed, but the evidence tendered before the Commission is to the effect that the Native gentlemen who have up to the present time succeeded in gaining appointments in the Indian Civil Service through the channel of the English competition have performed their duties to the satisfaction of their superiors, and have proved themselves to be generally efficient servants of the State. From this view the Commission sees no reason to dissent, and it further believes that the Native Covenanted Civilians appointed in England are, as a class, superior both in education and ability to those persons who have been selected in India under the provisions of the Statute of 1870.

The table given in the margin shows the appointment which each of the gentlemen concerned held on the 1st of October 1887, with the total emoluments which each was drawing on that date. The results generally, when considered in connection with the positions attained by European officers of similar standing in the service, appear to support the view that although, on the one hand, there may not have been any instances of exceptional success in the official careers of the Native gentlemen who have entered the service through the English competition, on the other hand they have not fallen short of the positions which Civil Servants with the same length of service ordinarily attain. The Commission is able to add its own testimony that the majority of these Native Covenanted Civilians, who were examined as witnesses, displayed intelligence and ability in the manner in which they gave their evidence.

No.	Name.	Year of commencement of service.	Province to which attached.	Appointment.	Total emoluments.		
					R	*a.*	*p.*
1	Satyendra Nath Tagore.	1864	Bombay	1st Grade Judge and Sessions Judge.	2,325	0	0
2	Romesh Chunder Dutt, Barrister-at-Law.	1871	Bengal	Acting Magistrate and Collector.	1,500	0	0
3	Behari Lal Gupta, Barrister-at-Law.	1871	Bengal	Presidency Magistrate. Acting District and Sessions Judge.	1,750	0	0
4	Sripad Babaji Thakur, B.A., Barrister-at-Law.	1872	Bombay	Acting Judge and Sessions Judge.	1,566	10	8
5	Anundoram Borooah, Barrister-at-Law.	1872	Bengal	Acting Magistrate and Collector.	1,500	0	0
6	Krishna Govinda Gupta, Barrister-at-Law.	1873	Bengal	Acting Junior Secretary to the Board of Revenue.	1,500	0	0
7	Brajendra Nath De, Barrister-at-Law.	1875	Bengal	Acting Magistrate and Collector.	1,233	5	4
8	Cursetjee Rustomjee, Barrister-at-Law.	1876	North-Western Provinces and Oudh.	Officiating Joint Magistrate and Deputy Collector, 1st Grade, in charge of a subdivision.	1,150	0	0
9	Kavasjee Jamasjee Badshah.	1879	Bengal	Postmaster General, North-Western Provinces and Oudh.	1,100	0	0
10	Mancherji Pestonji Khareghat.	1884	Bombay	Assistant Magistrate and Collector.	*875	0	0
11	Arthur Goodeve Chuckerbutty.	1886	Bengal	Assistant Magistrate and Collector.	400	0	0
12	Lokendra Nath Palit.	1886	Bengal	Assistant Magistrate and Collector.	400	0	0

* This includes travelling and tentage allowances.

larger class who desire the establishment of a simultaneous examination in India. But neither of these classes desire to prevent Natives from competing in England. Their objections to existing arrangements have for their object the removal of certain obstacles which are considered by them to preclude the competition of Indian youths on terms of equality with Her Majesty's British-born subjects. These objections will be more fully noticed and discussed in their appropriate place.

62. Points of enquiry: Limits of age for Native Candidates.—On the assumption that the present system, which permits Natives to compete in England, is to be substantially maintained, the Commission is asked to state what limits of age it would recommend for Native candidates.

The Commission feels no hesitation in recommending that the existing limits of age should be raised in the case of Native candidates for the competitive examination in England. On this point the evidence tendered before the Commission is practically unanimous. It is urged—and it seems to the Commission with unanswerable force—that the present limit is too low to admit of Natives completing an education in India so as to compete with reasonable prospect of success at the English examination. The difficulties under which the Native candidates labour in having to compete with English candidates in an examination conducted in a language which is not their mother-tongue must, under any circumstances, be great. But they are much aggravated by Native candidates being required to present themselves at an age when their English studies and their general education must be necessarily very incomplete. Moreover, Indian parents naturally hesitate to part with their children and send them to a distant and strange country at the comparatively tender age which is necessary under the limits at present prescribed. In paragraphs 29 and 32 of this Report, the recommendations of Lord Macaulay's Committee on the subject of the age-limits suitable for the English examination have been set forth in some detail, with the reasons on which they were based, and the history of the changes subsequently made has been described with some minuteness, the object being to show (1) the great importance which was attached by the Committee of 1854 to a thoroughly finished education of a general character before the appearance of candidates at the competitive examination, and before entry on the course of special study designed to fit successful candidates for the performance of their duties in India; and (2) the fact that the circumstances and requirements of Native candidates do not appear to have been fully considered in connection with the changes which were from time to time made in the age-limits for the English examination. The framers of the Report of 1854 doubtless had in view rather the conditions suitable for English candidates—a question which the Commission is precluded by its instructions from discussing—than the conditions suitable for Native candidates competing in England. But so far as such Native candidates are concerned, the Commission has no hesitation in expressing its concurrence in the views set forth in the Report of Lord Macaulay's Committee as regards both the character and standard of the education required and the best limit of age. The Commission, therefore, unanimously and strongly recommends that the maximum age-limit for Native candidates should be raised to that originally fixed, *viz.*, 23 years. If it is true in regard to English candidates, it is still more so in regard to Native candidates, that the longer and more complete their English training is, the greater will be their grasp of the economical and political principles of administra-

tion. The Commission would accordingly adhere to the principle that probationers should be selected and enter on their special training at the age at which their general education is usually completed. Taking a University degree as the ordinary index of a complete general education, a maximum limit of 23 years would appear the most suitable with reference to the course of study at the Indian Universities. The following figures show the average age at which Natives at the Indian Universities pass the examinations for First Arts, Bachelor of Arts, and Master of Arts respectively:—

	F. A. Examination.	B. A. Examination.	M. A. Examination.
Calcutta University .	19 years.	22 years.	23 years.
Bombay „ .	19 „	21 „	23 „
Madras „ .	19 years, 6 months.	22 „	(Information not available.)
Punjab „ .	19 years, 6 months.	21 years, 6 months.	22 years, 6 months.

These figures, considered in connection with the low limit of age at present fixed for the English examination, possess additional significance when it is remembered that high education in India cannot, as a general rule, be said to commence until students enter on their college course, and that a system of domestic education, similar to that which prevails in England, is scarcely known in India. The Senate of the Calcutta University has, in a separate* communication addressed to the Commission, pointed out the disqualifying effect of the present limit of age on students who have completed a course of liberal education at Indian or other Universities. The Commission is, moreover, of opinion that, so far at all events as Natives of India are concerned, the intellectual powers and other qualifications of candidates can be better tested at a later age. Again, in view of the different circumstances which prevail in England and India, what may be called the accidents of education must always tend to place Native candidates at a disadvantage, and even as between Native candidates themselves, similar causes operate to the prejudice of certain classes of candidates. Considerations of this nature appear to have a material bearing on the question of the age-limits which should be prescribed in connection with the Civil Service examination held in England, and support the conclusion that a higher maximum age-limit is desirable with a view to secure greater equality in the conditions of competition between the several classes of candidates. It has been represented to the Commission that, having regard to the earlier development of Natives of India, the extension of the limit of age might give Native candidates undue advantages as compared with European candidates. The instructions to the Commission preclude it from entering on a discussion of this objection. It can only explain that, in making its present recommendation, it does not contemplate any differential treatment in this respect of the two classes of candidates. It is believed that any such differential treatment would be indefensible in principle and would not be acceptable to those classes of the Indian community more immediately concerned.

In regard to the minimum age-limit, the Commission would prefer 19 years in the place of 17 years, the limit at present in force, or 18 years as originally fixed, on the ground that it is preferable that the successful candidates who may be Natives should not enter upon their duties before attaining the age of 21 years, and that the raising of the minimum limit would have the effect of encouraging Native candidates to proceed to England. The

* See Vol. VI, Section III, Sub-Section A, page 11.

Commission has not overlooked the fact that the raising of the age-limits which it advocates may render it necessary to reconsider the character of the examination in regard to English candidates, and that its recommendation incidentally raises the question of age for the latter, the conditions applicable to whom it is precluded from considering. At the same time the Commission entertains no doubt that the maximum age-limit for Native candidates should be substantially raised; and it is further of opinion that the nearer the maximum limit can be brought into accordance with the recommendations of Lord Macaulay's Committee, the more satisfactory is the result likely to be, as tending to widen the area of choice and to secure the best qualified candidates. In regard to the age-limits generally, the Commission would have preferred to leave its recommendations indefinite, if it were not for the fact that the question embodied in its instructions calls for a definite answer. Accordingly, the recommendation of the Commission on this point is that the minimum and maximum limit of age for Native candidates at the open competitive examination held in England should be 19 and 23 years respectively.

63. Points of enquiry: Subjects, standard and general conditions of examination in the case of Native Candidates.—The next question referred by the Government of India for the consideration of the Commission is what changes (if any) should be made in the character of the English examination in the case of Native candidates on the assumption that the existing system will be substantially maintained.

On this point the evidence tendered before the Commission shows that the two chief requests put forward on behalf of Native candidates are—

(1) that the marks assigned to Sanskrit and Arabic (500) should be placed on a par with those assigned to Latin and Greek (800 and 600 respectively); and

(2) that the chief vernacular languages of India, including Persian, should be added to the subjects of the open competitive examination, the marks assigned thereto being similar to those allotted to the modern European languages (French and German 500, Italian 400).

As regards the latter of these requests, the Commission is of opinion that, so far at all events as the vernacular languages are concerned, it should not be granted. In paragraph 30 of this Report, it has been shown that Lord Macaulay's Committee declined to recommend the inclusion of the vernacular languages amongst the subjects of examination and relegated them to the category of special studies to be entered upon by the successful candidates preparatory to duty in India. The Commission is of opinion that this was the correct course to pursue. The competitive examination was intended (with exceptions for which reasons were assigned) to embrace only the ordinary subjects of a liberal English education; and the soundness of this principle has on several occasions been re-affirmed both by Her Majesty's Civil Service Commissioners and by the Secretary of State. The official papers and reports placed at the disposal of the Commission show that from the outset of the system of competitive examinations for the Indian Civil Service, it was intended that the education to be tested in the preliminary competition should be an education of the highest possible English, and not of an Oriental, type. In the opinion of the Commission it is necessary to maintain this principle. It would view with approval even a higher standard of liberal English education than that now

required. Any lowering of the standard or of the distinctive English character of the examination for the Indian Covenanted Civil Service could not, the Commission believes, fail to be attended by consequences injurious to the public interests. Under these circumstances the Commission cannot recommend compliance with the request that the chief vernacular languages of India should be included amongst the subjects for the competitive examination, and the arguments on which this view is based appear to the Commission to apply with scarcely less force to the Persian language. The case of Sanskrit and Arabic is somewhat different. These classical languages possess a philological and an educational value of their own, while, at the same time, exceptional importance attaches to them in connection with the vernacular languages of India. It must, further, be remembered that the study of Sanskrit and Arabic has considerably developed in recent years. On the other hand it has been urged before the Commission by learned experts and other competent witnesses that the marks at present assigned to the Eastern classical languages do not adequately represent their educational value as compared with the Western classical languages. The Commission would certainly not recommend the alteration of the marks in any subject of examination in order to equalise the chances of success of particular classes of candidates; but under the circumstances above described, and as the matter is one to which considerable importance is attached by the Native community who complain that the number of marks at present allotted to the Eastern classics does not adequately represent their value as educational tests, the Commission would see no objection to the number of marks assigned to Sanskrit and Arabic being increased, provided that the difficulty and searching character of the examination in those languages is at the same time materially enhanced. On this latter point the evidence before the Commission clearly shows that the examination in both Sanskrit and Arabic is of too easy a character, and cases are believed to have occurred in practice in which imperfectly qualified candidates have succeeded in obtaining a larger proportion of marks than that to which the extent of their study or knowledge would have entitled them in an examination in these languages at the Indian Universities. At the same time the Commission considers that the question of the comparative value of Sanskrit and Arabic is one which can be best settled by the Civil Service Commission. The Commission would accordingly recommend that Her Majesty's Civil Service Commissioners should be invited to take into their consideration the question of the adequacy of the marks at present assigned at the open competitive examination to the Sanskrit and Arabic languages, and the suitability of the standard exacted. In this matter, as in others, the Commission does not, however, contemplate any differential treatment of the several classes of candidates, and would strongly recommend adherence to the principle of the present Regulations giving the same choice of subjects, and fixing the same standard and the same general conditions of examination for all natural-born subjects of Her Majesty. In connection with the general question of the subjects of examination and the marks which should be assigned thereto, the Commission has abstained from noticing numerous suggestions contained in the evidence before it that certain subjects should be added, or that the system of marking should be radically altered, because, as regards the addition of subjects, the suggestions offered generally contravened the principle that the competitive examination is intended to embrace only the subjects of an English liberal education, the study of special subjects being deferred until the probationary period, and because, in regard to

the system of marking, the Commission sees no reason to differ, except in so far as has been explained above, from the conclusions of Lord Macaulay's Committee which appear sufficiently to meet all requirements.

64. Points of enquiry: Question of a separate examination in England for Natives of India.—As directed by the Governor General in Council, the Commission has, in this connection, to give special attention to a suggestion made by the Bengal Government that the number of Native probationers to be selected by competitive examination in London should be first fixed, and that the Native candidates should be selected by an examination separate from that of European candidates, and especially adapted, as regards limits of age and otherwise, to the conditions of Natives of India.

This suggestion does not commend itself to the Commission. In the first place, it involves a differential mode of treatment which would certainly be distasteful to the Native community, whose desire is to be permitted to compete on equal terms with the educated youth of England. In the next place, the adoption of any suggestion which involves separate standards of examination for Europeans and Natives is open to many of the objections which have been taken in the evidence before the Commission to the Statutory Service, and to which reference will be made in the following Chapter of this Report. Not the least prominent of these is the fact that persons appointed otherwise than by a common test and under a common standard are liable to be regarded as not possessing the same qualifications. Moreover, the system of allotting a certain number of appointments to be competed for by Natives and Europeans respectively is a departure from the principles of the Statute of 1833 and the Queen's Proclamation, inasmuch as it involves an artificial exclusion of candidates on grounds of race from appointments for which they may be in other respects the best qualified persons. It has indeed been suggested that if increased facilities are given to Natives in connection with the open competition in England, it is desirable to fix such a limit in order to guard against Natives gaining admission to the service by the competitive examination to an extent which may prove a source of difficulty or embarrassment. But when the disadvantages are considered under which Natives labour in competing in a foreign language, in a foreign country, in subjects of study peculiarly English, and against the flower of English schools and colleges, the hypothesis involves so violent an improbability that it may be dismissed without serious discussion.

In short, the Commission is of opinion that the competition in England should remain open as heretofore, without restriction or distinction, as by the present law provided, to all natural-born subjects of Her Majesty, of whatever race or colour or creed or place of birth, who can satisfy the preliminary conditions prescribed in the rules framed by the Civil Service Commissioners, and that selection should be made impartially and indifferently from among the candidates according to their order of merit as ascertained in one and the same examination.

65. Points of enquiry: Willingness or otherwise of Indian youths to cross the sea for purposes of education or for other purposes.—In paragraph 9 of the Resolution of the 4th of October 1886, it is observed that the Commission will doubtless be able to obtain much valuable evidence on the subject of recent representations which affirm the general willingness of Indian youths to cross the sea for education, and to others which as strongly deny it.

In the course of the examination of witnesses special prominence was given to this subject, and to the question whether objections are entertained on the score of caste or religion by any class or classes of Natives to proceeding to England for educational or other purposes. A large amount of evidence has been collected on these points, which, the Commission believes, may be correctly summed up by saying—(1) that such objections as exist on the score of caste or religion to going to England for educational or other purposes are entertained chiefly by certain of the more orthodox and conservative classes among the Hindus; (2) that the strength of the objections varies in different parts of the country, being strongest perhaps in Southern India and generally in families who reside at a distance from the larger centres of the population (except such centres as from their religious associations possess special attractions for the more orthodox classes of the Hindu community), and are consequently removed from the progressive influences which are undoubtedly asserting themselves with ever-increasing force; (3) that they have to a very great extent lost their hold upon the younger generation and are gradually and surely dying out; (4) that the Natives who go to England for purposes of education belong generally to the middle classes, and are not limited to the wealthier classes, or to any particular section of the community, or to any particular creed, although, *cæteris paribus*, the obstacles are greater in proportion to the strength of the caste-feeling; and (5) that a voyage to, or residence in, England has not been found in practice to involve the loss of social position or other unfavourable consequences to persons who have undertaken it, and has not generally had the result of placing such persons out of touch or sympathy with their fellow-countrymen on their return to India. To any broad statements of this nature there must of necessity be exceptions; but the number of such exceptions brought under the notice of the Commission has been extremely small, and the witnesses have generally admitted that any inconvenience to which persons who have undertaken a journey to England were subjected on their return to India was due less to incidents necessarily inherent in the voyage or in residence in England, than to other extraneous circumstances,—such, for instance, as a refusal on their part to subject themselves to the expiatory ceremonies or observances demanded by their fellow-countrymen as a condition to their rehabilitation to caste privileges, or to their having by their own voluntary proceedings permanently placed themselves beyond the pale of caste recognition. In some instances, indeed, the persons referred to had already come under influences in this country which would have separated them from caste sympathies even if they had not gone to England. There are many agencies at work in India which are gradually loosening the more stringent fetters of caste, and it would, in the opinion of the Commission, be a matter for regret if objections of the nature of those under discussion were revived or stereotyped by any action taken under the mistaken belief that they possess general influence or permanent vitality. It is due to other causes than caste and religious objections that the number of Native candidates who have as yet presented themselves at the English examination is so small, when the vastness of the Indian population subject to British rule is considered. In the first place, the prizes are few and difficult to obtain. A journey to England and study there are necessarily very costly, and there is on the part of parents a natural reluctance to part with their children at a comparatively tender age, coupled with a feeling that suffi-

cient control or supervision may not be exercised over the lives of Native youths while in England, and that a prolonged absence from their native country may be followed by more or less estrangement from family ties and sympathies. But although these and other causes contribute to limit the number of Native candidates in England, the Commission is of opinion that they are not strong enough now-a-days materially to interfere with the supply of such young Natives as it may be desired to attract to the English competition. The number of Natives who proceed to England for other purposes, such as education and professional training (for instance, in Law and Medicine), and with no view to entering the service of Government, shows a steady and decided tendency towards increase, and this tendency does not appear to be checked by the risk of ultimate professional failure. It may be expected that the increase which is thus taking place will become more marked with the greater development* of means for providing effective supervision over Native youths during their residence in England. The fact that a compulsory period of residence and training in England has been warmly advocated by many witnesses in all parts of India as a condition precedent to the final appointment to the Civil Service of candidates successful at any competitive examination held in India points to the same conclusion. So far as risk of failure and consequently infructuous educational expenditure may act as a deterrent, these drawbacks affect all classes of Her Majesty's subjects residing out of England and in some respects are common to all professional preparation. It was partly with the object of meeting objections of this nature that Lord Macaulay's Committee insisted that the test for the Indian Civil Service should be a test of general education, that is, of an education which would materially assist the unsuccessful candidates to whatever calling in life they might thereafter devote themselves.

66. Points of enquiry: Question of retaining the rule which allows selected candidates to remain in England for the purpose of taking a University degree.—Under the Regulations† framed by Her Majesty's Secretary of State in Council it is open to selected candidates, with the permission of the Secretary of State, to remain in England an additional year after the completion of their two years' probation for the purpose of taking a degree at certain Universities. The Regulations further lay down that a bonus of £150 will, as a temporary and experimental measure, be paid to any candidate who, after having obtained the necessary permission, passes an examination qualifying for a degree in Honours at Oxford or Cambridge, or who, being a student of University College, London, passes with credit an Honour Examination of the University of London. An expression of the views of the Commission has been called for‡ by the Government of India on this rule, which, it is said, has been found to cause some inconvenience. The Commission can readily understand the inconvenience of a rule of this nature which disturbs the annual rate of recruitment fixed for the several Provinces. But, on the other hand, the Commission fully appreciates the expediency of members of the Covenanted Civil Service undergoing a complete University training, and would deprecate any arrangement calculated to interfere with so desirable a result. At the same time the Commission is very decidedly of opinion§ that the general education

* The efforts of the National Indian Association, the Northbrook Club, and other Associations in this direction are noteworthy and can scarcely fail to be productive of good results.

† See Appendix G to this Report.

‡ Letter from the Government of India (Home Department), No. 2454, dated 25th October 1887.

§ See paragraph 62 *supra*.

of students should be completed before and not after they enter upon the special studies designed to fit them for duty in India. The rule under discussion involves a departure from this principle, and the necessity for it appears to the Commission to be due entirely to the lowering of the maximum limit of age for admission to the competitive examination in England. The Commission does not consider it a defensible arrangement to spend the revenues of India in helping candidates who, having passed their period of probationary training successfully, are pronounced qualified for service in India, to complete their general education.

Sir Charles Turner is of opinion that the propriety of the grant of a bonus can hardly be considered fully without entering on the question as to the limit of age for the admission of English candidates to the competitive examination which the Commission is precluded from discussing. While acknowledging the force of the argument that assistance should not be afforded to candidates to complete their general education, he conceives that the grant of a bonus might be defended on the ground that it secures a completeness of training which is best acquired after the competitive examination. He therefore desires to refrain from committing himself to an opinion on the point.

CHAPTER VI.

REPLIES TO ENQUIRIES MADE BY THE GOVERNMENT OF INDIA IN REGARD TO THE STATUTORY SERVICE.

67. Points of enquiry: Prevalent feeling amongst the Native community and the grounds on which it is based.—In paragraphs 5 to 7 of the Resolution of the 4th of October 1886, the Government of India asks for the opinion of the Commission on various points relating to the Statutory Service. The first of those is what is the feeling prevalent amongst the Native community in regard to the existing Statutory Service; and if that feeling is one of dissatisfaction, (*a*) what is the extent of such dissatisfaction; (*b*) whether it is directed against the Statute of 1870, or against the Rules framed thereunder; and (*c*) in either case what are the particular grounds on which it is based.

In regard to these questions the Commission would observe that the degree of interest which has up to the present time been awakened in the Statutory system among the mass of the population is probably inappreciable. This is scarcely to be wondered at, seeing that the system is still in its infancy and has not been sufficiently long in operation to enable its effects to be felt by the people at large. On the other hand, there can be no doubt that the educated classes take a decided interest in the matter. While among these the desire is general to procure additional facilities for the employment of Natives of India, of proved merit and ability, in the Civil Service, the evidence before the Commission shows that the present arrangements under the Statutory system for effecting this end are viewed with dissatisfaction. As regards the extent of this dissatisfaction it is, of course, difficult to apply any precise measure; but, broadly speaking, the Commission believes the feeling to extend to all the educated classes of the community whose interests are more immediately affected or who have given any attention to the question. The objections to the Statutory system which have been laid before the Commission have generally been directed rather against the Rules than against the Statute. But the Statute itself is also objected to on the grounds that it provides for appointment to specific posts only and not for enrolment in an organized service, and that it fails to specify the number of appointments which should be made and to render it obligatory on the Government to make them to the full limit. Some witnesses examined before the Commission have also expressed disapproval of the Statute of 1870 because it is inconsistent with the Statute of 1833, in so far as it adopts place of birth and domicile as qualifications and disqualifications for certain offices. By some persons, again, the Statute is regarded as a measure designed to stifle the demand for the removal of disadvantages under which Natives are held to labour in connection with the competitive examinations in England. From this point of view, it is contended that the creation of a channel for admission to the Civil Service distinct from, and independent of, the channel of the English competition implies that the Natives are unable to win for themselves their due place in the administration, while all that is really needed is the removal of certain obstacles which are considered to prevent the competition of Indian candidates on terms of fair and reasonable equality with their European fellow-subjects. Again, it is objected that the provisions of the Statute are

imperfect in that they contain no complete definition of the term "Natives of India," and that, in so far as they declare its meaning, they stop short of including classes who might, with equal propriety, be declared to fall within the term. These, generally speaking, are the broad objections to the principle of the Statute which have been brought out in the evidence tendered before the Commission. As regards the Statutory Rules, the objections felt by the educated classes of the community have been clearly formulated, and may be said to be based generally on the fact that appointments thereunder depend to a greater or less degree upon patronage; and that the system provides no sufficient guarantee that the persons appointed fulfil the requirements of the Statute, *i.e.*, that they are persons "of proved merit and ability." As a necessary consequence of these defects and of the manner in which the power of appointment is actually exercised, it is held that the persons who receive appointments under the Statute are not as highly qualified, from an educational point of view, as others who might be secured under a different system of selection; that, owing to this inferiority and to the treatment accorded to them in respect to pay and promotion, they are not regarded by the public with that degree of respect or consideration which is accorded to the members of the Covenanted Civil Service recruited in England; and that their position generally is that, while nominally on an equality with the members of the Covenanted Civil Service appointed in England, they are practically treated as belonging to a distinct and inferior branch of the service. It is further urged that the claims of deserving Uncovenanted Officers have been overlooked in the appointments actually made under the Statute; and that the entire principle which underlies the present Rules, as applied in practice to the appointment of untried persons, is unsound and inconsistent with the Statute. Lastly, it is objected that distinctive rates of pay are assigned to officers who are supposed to belong to one and the same service; that the pay assigned on first appointment is insufficient to enable a Statutory officer to maintain the social position to which office in a superior grade of the public service entitles him; and that the scale of pay assigned may, if the power of appointment is exercised in favour of an experienced public servant or a successful member of a profession, entail such a loss of emoluments as would deter persons of these classes from accepting an appointment under the Rules.

68. Points of enquiry: Results of selections made under the Statute.—The next point regarding which the Commission is directed to enquire is as to the results of the selections made under the Statute of 1870.

In paragraph 45 *supra*, reference has been made to the appointments made under the Statute, and to the various modes of selection adopted by Local Governments in connection therewith. As regards the results of these selections, it is difficult to formulate any judgment which would be equally applicable to all cases; but, speaking generally (although there are certainly exceptions), and dealing with Statutory Civilians as a class, the Commission believes it to be certain that many of the persons, being untried men, who have hitherto been appointed under the Statute of 1870, do not bear favourable comparison in regard to their work as public servants with Native Civilians who have entered the Civil Service through the channel of the English competition. In the majority of cases such persons cannot be said to be superior, while they are in some cases inferior, in education and ability, to the average of those appointed or promoted to the higher ranks of the Uncovenanted Service, and it is doubtful whether any except a few of them enjoy higher social

consideration or belong to more influential families. In some cases, doubtless, the persons appointed under the Statutory Rules have fully justified their appointment both by their general character and by the efficiency with which they have discharged their duties; but the Commission is unable to come to any other conclusion from the evidence before it than that the Statutory system has failed to secure properly qualified men.

69. Points of enquiry: Effect of the Statute as admitting persons to specific appointments only, and not to membership in an organized service.—The third point to which reference is made in the instructions to the Commission is a suggestion that the Act of 1870 is open to objection, because it admits persons to specific appointments only and not to membership in an organized service, and the Commission is directed fully to weigh the reasons for this desire to be enrolled in a service.

In the evidence given before the Commission weight has been attached by several witnesses, especially those who are themselves members of the Statutory Service, to the objection that the Statute admits persons to specific appointments only and not to membership in an organized service. The reasons for this desire to be enrolled in a service, more particularly where, as in the Covenanted Civil Service, promotion up to a certain point is mainly regulated by seniority, are obvious. Membership in an organized service ensures a more permanent status and involves more certain prospects than if appointment is made to a particular post only and every step of further promotion requires a fresh exercise of the power of appointment under the Statute. In the former case, the merit and ability required as a condition of first appointment are, in the absence of positive evidence to the contrary, presumed for purposes of subsequent promotions; in the latter case, they have to be proved afresh at each step. In this matter, as in others, the objections felt appear to be directed mainly against the differential treatment of Statutory and of Covenanted Civilians which the present system involves and which tends to foster the impression that the two classes are not meant to occupy a position of equal status and dignity, or to enjoy the same prospects of future advancement. This impression has been strengthened by the change* of practice according to which the names of Native gentlemen appointed under the Statutory Rules are not, as was originally the case, shown in the list of Covenanted Civil Servants but are included in a separate list.

70. Points of enquiry: Question regarding pay, promotion, retiring annuity, and general conditions of office suitable for Natives of India appointed under the Statutory Rules.—The Commission is next directed to consider how far the privileges of pay, promotion, and retiring annuity which Indian public servants enjoy through belonging to the Covenanted Civil Service, and the conditions generally under which they hold their offices, are suitable to Natives of India obtaining office under the Statutory Rules. Reference is further made to a suggestion that the Statute of 1870 is unpopular, because a person appointed under it draws, according to the rules laid down, pay at a lower rate than if he were a member of the Indian Civil Service appointed after competition in London.

To the first of these questions the Commission would reply that the general conditions of service accorded to officers of the Covenanted Civil Service, who are recruited in England, do not appear to be in any way suitable to Natives of

* Home Department Circular, dated 18th June 1885.

India obtaining office under the Statutory Rules or otherwise appointed in India. These conditions were framed to meet the circumstances and requirements of an agency which it is considered necessary to import from England and seem to the Commission to be wholly inapplicable to such agency as may be recruited in India. To apply to the latter agency the exceptional conditions found to be necessary for special reasons in the case of the former would appear to involve a charge upon the public funds which is unnecessary and could not be justified.

As regards the second point, the evidence before the Commission clearly shows that dissatisfaction has been caused by the differential rates of pay granted to Statutory Officers. Some of these have, in accordance with a rule issued in 1880,* been actually graded in the Civil Lists, and although this rule has been cancelled and Statutory Civilians are now appointed to specific posts only and are entered in a separate list, they have, practically, been considered as belonging to the same service as officers of the Covenanted Civil Service appointed in England. Under such circumstances it is only natural that general dissatisfaction should be felt.

71. Points of enquiry: View taken by the Native communities of the several Provinces in regard to selection by means of nomination, with or without probation, and by means of competition respectively.—Lastly, the Commission is directed to ascertain whether the communities of the various Provinces, and especially the classes from which Native public servants are commonly drawn, disapprove of selection in any form, with or without probation; whether competition of some sort is the only mode of selection which commends itself to them; and whether they think that a combination of both systems possesses advantages, more especially with regard to the promotion to higher office of deserving members of the Executive and Judicial Services.

In regard to these points the evidence before the Commission appears to show that selection for the Statutory Service by means of nomination in any form, with or without probation, is not regarded favourably by the more educated sections of the Hindu and Parsi communities. They maintain that without an open competitive examination it is difficult for the appointing authority to ascertain which candidates are best qualified in respect of educational attainments, and they assert that the Government does not always accurately gauge the social consideration enjoyed by the candidates whom it selects, while a system of selection is open to the abuses incidental to patronage. They further maintain that a system of nomination may lead to the exclusion of well qualified persons whose relatives are hindered by feelings of delicacy from bringing their names to the notice of Government, and they contend that, other qualifications being apparently equal, it is only consistent with justice that superiority in educational qualifications should be determined by a competitive examination. Lastly, they urge that the nomination of candidates who subsequently prove unequal to the duties of the superior posts in the public service discredits the employment of Natives in those posts. To this may be added the fact that under a system of nomination the educated classes fear that they might not enjoy the same advantages as under a system of appointment based on educational tests. The objections to nomination, however, are not generally shared by the Mahomedan witnesses. These, for the most part, favour a system of

* Resolution of the Government of India (Home Dept.), No. 36—1322 to 1327, dated 15th August 1880.

nomination combined with sufficient guarantees of fitness. It may be broadly said that for the selection of untried candidates open competition generally commends itself to the sections of the Hindu and Parsi communities abovementioned, and that a system of limited competition among candidates previously nominated is not generally preferred by them. On the other hand, there is evidence to show that large and important sections of the community, more particularly among the Mahomedans, among Hindus of the older school, among the conservative classes generally, and even among some of the advanced school, entertain doubts as to the suitability of open competition as a sufficient test of the possession by Indian candidates of the qualifications necessary for high administrative office, and prefer either pure nomination or limited competition among nominated candidates possessed of certain antecedent qualifications. Speaking generally, however, it may be said that the feeling of the Native communities of the several Provinces, including the classes from which Native public servants are commonly drawn, is, so far as it has been represented in the evidence taken by the Commission, favourable to a system of competition, open or limited, in preference to a system of nomination with or without probation. At the same time, it is admitted that a competitive system would not be suitable as a means of giving promotion from the Uncovenanted to the Covenanted grades or for the appointment of legal practitioners to the Judicial service. As regards the views expressed by certain Mahomedan witnesses in favour of a system of nomination, it must of course be remembered that their opinions on such a point can scarcely fail to be influenced by a consciousness of the inability of their co-religionists, as a rule, to compete successfully in purely educational tests with those sections of their fellow-countrymen whose progress in education is considerably more advanced than their own.

72. Summary of views of the Commission in regard to the Statutory system.—On the whole, then, the Commission is of opinion that the existing Statutory system has failed to fulfil the expectations anticipated from it, and that it is for sufficiently good reasons condemned, not only by particular sections of the Native community but also by the very large majority of officials, both European and Native, who have had practical experience of its working. The reasons why the system has failed to give satisfaction to the Native community are set forth in the foregoing paragraphs of this Chapter and appear to the Commission to possess great weight, especially when supported, as they are, by the decided opinion of officers belonging to all ranks of the administration. In the Resolution of the Government of India, dated the 24th of December 1879, which followed on the promulgation of the existing Rules, it was explained that the "main object of the rules was not to transfer to the superior ranks of the civil administration officers of a class whose services have already been secured by Government in the inferior ranks, but to attract to the service of Government young men of good family and social position, possessed of fair abilities and education, to whom the offices open to them in the inferior ranks or Uncovenanted Service have not proved a sufficient inducement to come forward for employment." There can be no doubt that the attempt to confine the selections to young men of rank and to attract to the service men combining high social position with the requisite intellectual and educational qualifications has failed. The Commission cannot but think that a similar result would almost necessarily follow upon any attempt to engraft on a superior and imported service, recruited in such a manner as to secure the highest possible English qualifications available, a system based upon other principles and designed to meet a

wholly different object. Whether, therefore, considered in the light of its practical results, that is, as a means of strengthening the position of Government by attracting to its service persons of a class who would not otherwise have come forward for this purpose, or as a remedy provided by Parliament for inequalities inevitably associated with a system whereby the conditions of the examination for the Covenanted Civil Service are primarily designed to meet the circumstances and requirements of English education, the experiment must, in the opinion of the Commission, be pronounced a failure. For, on the one hand, there is no sufficient reason to believe that many of the persons who have thus been appointed to posts reserved for the Covenanted Service would not have accepted employment in the lower ranks of the administration; while, on the other hand, the system has wholly failed to meet the wishes or satisfy the aspirations of the more educated sections of the Native community, who urge that it has not secured the services of the most highly qualified persons available; that it has practically resulted in the formation of a secondary and lower service owing to the curtailment of the privileges accorded to persons appointed thereunder as compared with those enjoyed by members of the Covenanted Civil Service appointed in England; and that in its general working it has given rise to dissatisfaction. These objections appear to be in the main justified by the facts, and the Commission, after careful deliberation, finds itself unable to suggest any amendment either of the Statute or of the Rules such as would adequately meet the issues which it has had to consider.

The difficulty of framing a correct legal definition of the expression "Natives of India," is indeed a real one. As the definition now stands, it is possible for one member of a family to be a Native of India and another member of the same family not to be a Native of India from the mere accident of his place of birth, and the Commission doubts whether it is possible to frame any definition that would not be arbitrary and unequal in its effects. Neither blood, nor place of birth, nor domicile, nor all three together can be taken as the criterion. Subject as the country has been to the immigration of foreigners who come and go, there is scarcely a race on the face of the world which is not represented among the populations of India. Some have made it their home; of others it is impossible to say whether they have done so or not. In any case, the perplexities are many, and the Commission doubts whether any definition it could frame would not raise as many difficulties as it solves. Any attempt to distinguish between Natives of the country and foreigners or between persons domiciled and non-domiciled is certain to operate with inequality and end in race disqualifications. On these grounds, as well as on grounds of principle already explained, the Commission prefers to rest its recommendations on the broader basis of the equal treatment of all classes of Her Majesty's natural-born subjects in the matter of recruitment for the public service.

Various alternative schemes have been recommended by witnesses in the event of the Statutory system being retained, but the Commission deems it of little practical use to discuss these in detail, seeing that the system is almost universally condemned. Accordingly, the Commission recommends that the Statutory system should be abolished, and that Section 6 of the Statute 33 Vic., Cap. 3, should be repealed. The arrangements which should, in the opinion of the Commission, be substituted for those now in force, will be described in the following Chapters* of this Report.

* Chapters VII and VIII.

CHAPTER VII.

RECOMMENDATIONS REGARDING THE COVENANTED CIVIL SERVICE AND THE FORMATION OF AN IMPERIAL SERVICE.

73. Proposals of the Commission: Constitution of two distinct Services.—On a review of all the evidence before it, the Commission has come to the conclusion that, in the present circumstances of the country, the claims of Natives of India to higher and more extensive employment in the public service and the admission of competent Natives of each Province of India to a due proportion of the posts heretofore reserved for the Covenanted Civil Service, can be best provided for by reducing the strength of the Covenanted Civil Service and transferring a corresponding number of appointments to a local service to be separately recruited in each Province of India. Under this arrangement the Covenanted Civil Service, reduced to "a *corps d'élite*,* and its numbers limited to what is necessary to fill the chief administrative appointments of the Government and such a number of the smaller appointments as will ensure a complete course of training for junior Civilians," will continue, as hitherto, to be recruited by open competition in England only, under suitable standards and conditions of its own, while the Provincial Service, recruited under different methods adapted to local circumstances, will secure a fair representation of the various races of India in the administration of the country. It is an essential feature of this scheme that the competition in England be open unreservedly to Natives as well as to Europeans, that Europeans resident in India who satisfy the prescribed preliminary conditions be eligible equally with Natives for the Provincial Service, and that the conditions of each service respectively be the same for all who enter it to whatever nationality they may belong.

74. Advantages of the above scheme.—The advantages of a system based on the above lines are that, while it avoids many of the objections inherent in other schemes which have been suggested to the Commission, it maintains the very high standard of qualification necessary for the Covenanted Civil Service; it meets the general desire that all Her Majesty's subjects should receive equal treatment; it creates no difficulties on the score of social custom or religious belief; it adapts itself not only to the present circumstances of the country generally but to the local conditions of the several Provinces and to the requirements of the different classes and races of the population; it creates the least possible dislocation of existing arrangements; it enables the Government to expand its administrative agency with due regard to economy, and to adjust the conditions of appointment in regard to pay, leave, and pension to the separate circumstances of each service; and it removes all invidious distinctions of class or race. Such distinctions as it does and must maintain are distinctions of service, qualification, and recruitment, it being left open to candidates to elect at the commencement of their career the service for which they can best qualify themselves.

75. Designation of the two Services: Sphere of recruitment and service.—The designation of the two services is not a matter of much importance, but the question arises in connection with the proposed discontinuance

* Government of India (Home Department) Resolution, No. $\frac{69}{2034-36}$, dated 15th December 1881.

of the term "Uncovenanted," to which attention has been called by Her Majesty's Secretary of State and which the Commission has been especially* requested to notice in its Report. With regard to the term "Covenanted" it appears to the Commission that the application of that term exclusively to officers recruited in England for the higher branches of the executive and judicial administration is not in accordance with existing facts, inasmuch as several so-called Uncovenanted Officers are serving under covenants or contracts entered into with Her Majesty's Secretary of State. The use of the term "Uncovenanted," as applicable to officers serving the Crown in a civil capacity in India who do not belong to what is generally known as the Covenanted Civil Service, was probably originally meant as an easy and convenient means of distinguishing broadly the two classes whose conditions of service are entirely distinct. But the term "Covenanted" is no doubt under present circumstances inaccurate and misleading. The Commission would accordingly recommend that the use of the term "Covenanted Civil Service of India" should be discontinued, and that that term should be replaced by the expression "Imperial Civil Service of India." The Commission is aware that the term "Covenanted," as applicable to the higher administrative ranks of the Civil Service in India, is recognized by Acts of Parliament and that the proposed change may therefore involve Parliamentary legislation; but if it is decided to have recourse to such legislation for other purposes, any objection on this ground loses its force. The designation "Imperial Civil Service of India" appears to the Commission appropriate as indicating that the members of the service are expected to serve in whatever part of the Indian Empire the Government of India chooses to employ them. In paragraph 5 of the Home Department Resolution, dated 15th December 1881,† the principle is said to have been laid down by authority that every Civil Servant is bound to serve wherever the Government at any period of his career requires him to go. And the Commission believes that effect is given to this principle in the covenants which Civil Servants are required to enter into with Her Majesty's Secretary of State before proceeding to India. At the same time it should be pointed out that Section 57 of the Statute 33 George III, Cap. 52, which although modified in some particulars by later enactments has not been repealed, lays down that "all vacancies happening in any of the offices, places, or employments in the civil line of the Company's service in India (being under the degree of Counsellor) shall be from time to time filled up and supplied from amongst the Civil Servants of the said Company belonging to the Presidency wherein such vacancies shall respectively happen, subject only to the restrictions in this Act contained, and no otherwise." Without discussing the precise legal effect of this provision on the question now under consideration, the Commission contents itself with expressing an opinion that if it is held to disable the Government from insisting upon the transfer of Covenanted Civilians from one Presidency or Province to another in order to meet administrative requirements, it might be productive of inconvenience. The Commission conceives that it should be fully within the power of the Government to direct such transfers on public grounds and to decide in what particular capacities and places its officers may be most usefully employed. Accordingly, the recommendation which the Commission would make on this point is that the members of the Imperial Civil Service of India should be bound to serve wheresoever and in whatsoever capacity the Govern-

* Letter from the Government of India, Home Department, No. 2173, dated 10th December 1886.
† No. 68—2024-35.

ment may see fit and should be eligible for any appointment for which the Government considers them qualified.

The Commission would suggest that the service to be locally recruited should be called the "Provincial Civil Service." This term possesses the advantage of avoiding the invidious distinction complained of in the use of the term "Uncovenanted," while at the same time it marks the distinction which exists in regard to the field of recruitment of the two services respectively, the "Imperial Service" being recruited in England, and the "Provincial Service" being recruited in India. The Commission further recommends that, as far as possible, the members of the Imperial and Provincial Services should be put on a footing of social equality, and that, when they occupy similar offices, they should be graded together in the official precedence list.

There would of course be a third service comprising the lower administrative appointments above the ministerial grades, and this might appropriately be called the "Subordinate Civil Service."

76. Recommendations regarding the Schedule attached to the Statute 24 and 25 Vic., Cap. 54: Its formal extension to the Non-Regulation Provinces.—The appointments reserved by law for the Covenanted Civil Service are those specified in the Schedule attached to the Statute 24 and 25 Vic., Cap. 54. The Commission is unanimous in recommending that no change in principle be made in this Statute, which directs that all vacancies in certain offices shall, save under special circumstances, be filled up from amongst the Covenanted Civil Servants of the Crown in India. Appointments in the Covenanted Civil Service have always been held under Parliamentary guarantee, and this principle appears to the Commission to be sound and one which should be maintained, not only in order to attract the best qualified candidates by providing security of tenure, but also to guard against the possibility of abuses and to protect the Government from the pressure of influences which, as experience has shown, are not always easily resisted.

In the present form of the Schedule, the judicial and revenue appointments included therein are appointments in the Provinces known in 1861 as the Regulation Provinces. These may be generally described as the Presidencies of Madras and Bombay, the Lower Provinces of Bengal, and the North-Western Provinces. The Non-Regulation Provinces were the Punjab, Sind, Assam, Oudh, the Central Provinces, and certain districts attached to the Regulation Provinces. These Non-Regulation Provinces represented generally the later territorial acquisitions of the British Government, in which a simpler form of administration was necessarily at first adopted than that which prevailed in the older Provinces. With the firm establishment of law and order, however, the machinery of the administration in the Non-Regulation Provinces naturally became more complex and has been gradually assimilated to that of other parts of British India. The distinction between Regulation and Non-Regulation Provinces may now be said to be mainly a historical distinction. Consequently the Secretary of State has applied to the Provinces known in 1861 as Non-Regulation Provinces the same system of recruitment for the Civil Service as that established elsewhere, and has reserved for the service so recruited appointments analogous to those reserved in the Regulation Provinces by the Statute of 1861, except that in the Frontier Commissions of the Punjab and Assam one-fourth of the staff may be Military officers. Under these circumstances, the Commission would recommend that, subject to the arrangements in force for recruiting

from the Army Staff Corps in the Punjab and Assam, the Schedule should be so extended as to include analogous appointments in those and all other Non-Regulation Provinces.

77. Recommendations regarding the Schedule attached to the Statute 24 and 25 Vic., Cap. 54: Changes now advocated: Desirability of providing for alterations hereafter.—In order, however, to provide for the more extensive employment of Natives of India in offices hitherto reserved for the Covenanted Civil Service, the Commission recommends that the number of appointments reserved in the Schedule be reduced. With this view, the Commission has given very careful consideration to the Schedule with reference both to the general evidence adduced before it in the course of its investigations, and more particularly to the opinions of the Local Governments from whom special enquiries were made on this point, and recommends that (assuming the Schedule to be extended to Non-Regulation Provinces as proposed) the following should be excluded from the list of reserved appointments, the fractions being taken as nearly as may be, more or less :—

(1) Under-Secretaries to the several Governments in India.

(2) One-third of District and Civil and Sessions Judges* or Chief Judicial Officers of Districts; and in the Punjab one-third of the officers aforesaid after deducting the proportion (one-fourth) reserved for Military Officers.

(3) One-third of the Joint and Assistant Judges in the Bombay Presidency.

(4) One-tenth of Magistrates or Chief Magisterial Officers of Districts (including Deputy Commissioners); and in the Punjab and Assam one-tenth of the officers aforesaid after deducting the proportion (one-fourth) reserved for Military Officers.

(5) One-sixth of Joint Magistrates in all Provinces.

(6) One Member of the Board of Revenue in the Madras Presidency; in the Lower Provinces of Bengal; and in the North-Western Provinces; and one of the Financial Commissioners in the Punjab.†

(7) One (where there are more than one) of the Secretaries to the Board of Revenue (or Commissioners who constitute the Board of Revenue) in the Madras Presidency; in the Lower Provinces of Bengal; and in the North-Western Provinces; and one Secretary to the Financial Commissioner of the Punjab.†

(8) One of the Chief Revenue Officers of Divisions in all Provinces except Bombay and Assam.

(9) One-tenth of Collectors of Revenue or Chief Revenue Officers of Districts; and in the Punjab and Assam one-tenth of the officers aforesaid after deducting the proportion (one-fourth) reserved for Military Officers.

(10) One-sixth of Deputy or Subordinate Collectors where combined with the office of Joint Magistrate in all Provinces.

(11) One-sixth of Assistant Collectors or Assistant Commissioners; and in the Punjab and Assam one-sixth of the officers aforesaid after deducting the proportion (one-fourth) reserved for Military Officers.

* In the Central Provinces and Assam (except in the District of Sylhet) District and Civil and Sessions Judgeships are not held as separate appointments but are combined with Executive appointments.

† In the Schedule given as Appendix N to this Report, the appointments of Financial Commissioner and Secretary to the Financial Commissioner are not entered as reserved for the Covenanted Civil Service, in view of the fact that they may be held by Military Officers in the Commission.

The effect of these proposals is to remove about 108 appointments from the list of appointments at present reserved in the Schedule and by the orders of the Secretary of State, a number in excess of the proportion of one-sixth of the same appointments thrown open under the Statutory Rules. There are certain special appointments in the Schedule which will be considered hereafter in connection with the miscellaneous Departments of the administration. The entire Schedule as revised by the Commission and recommended for adoption will be found in Appendix N.

The Commission does not mean it to be understood that members of the Imperial Civil Service are to be appointed to the reserved posts only and to no others. Under present circumstances such an arrangement would neither be desirable nor practicable. But in order that in due time, and as competent agency becomes available, a proper share in the higher administration may be secured to the Provincial Service, the Commission recommends that if the *cadre* of the Covenanted Civil Service is larger than would be required under the proposals now made, the Government should, in the future recruitment for the Covenanted Service, have regard to the reduced Schedule in order to give due effect to those proposals.

The reduced Schedule throws open as large a number of appointments as there is reasonable hope of the Government being able gradually to fill by qualified persons recruited in India for some time to come. In this sense the proposals of the Commission "may reasonably be hoped to possess the necessary elements of finality" as required by its instructions. At the same time it must be borne in mind that the circumstances of the country and the social condition of the population change with extraordinary rapidity and that absolute finality in any arrangements of the kind is not to be hoped for. All that the Commission can do in this respect is to recommend measures which, if adopted, will in its opinion settle matters for a considerable length of time and afford the means of making such changes as the progress of events may necessitate with the least possible dislocation of machinery. Accordingly, the Commission considers it advisable that the Statute of 1861 should be so amended as to give power to the Secretary of State, subject to the control of Parliament, to make such alterations in the Schedule from time to time as circumstances may require. With this view the Commission recommends that a provision be inserted in the Statute 24 and 25 Vic., Cap. 54, enabling the Secretary of State in Council, with the concurrence of a majority of members present at a meeting, to remove appointments or classes of appointments from the Schedule, or to include them in the Schedule, as may seem desirable from time to time, provided that no such order shall take effect until it has, together with the reasons for making it, been laid for ninety days before both Houses of Parliament. The period of ninety days is suggested in order to allow sufficient time for publicity in India and for the consideration of objections.

In regard to the revision of the Schedule now recommended, it may be observed that many witnesses examined before the Commission have urged that judicial offices should be made over more freely to Natives of India, and some witnesses have gone so far as to recommend that the greater part if not the whole of the civil judicial work of the country might be usefully entrusted to Native agency. In the expediency of employing duly qualified Natives to a large extent in the judicial branch of the public service the Commission fully concurs. The highest judicial offices in the country have already been filled by Natives with marked ability, while the subordinate judiciary, which is composed almost exclusively of Natives of India, has displayed very great

aptitude for judicial office. But, on the other hand, the Commission is unable to support a proposal which contemplates the exclusive reservation of the judicial branch of the service for a particular class of Her Majesty's subjects, and is of opinion that any such reservation would lead to administrative difficulties. It will be observed that Local Governments generally adopt the view that while Natives of India may with advantage be extensively employed in judicial duties, the judiciary, more especially in the higher grades, ought not to consist exclusively of Natives.

Stronger objections have been raised in the course of the enquiries of the Commission to the employment of Natives in district charges than in high judicial offices, and many witnesses have advised that they should be altogether excluded from offices of the former description. In view of the fact that the District Officer is the direct representative of the Executive Government in all Departments of the administration, that he is primarily responsible for the peace of the district, that he is occasionally called on to deal with religious riots and disturbances of a dangerous kind, that he is head of the police, that his work necessarily brings him into frequent contact with officers of other Departments on whose co-operation its success must largely depend, that the District Officer is invested with the control and training of the junior officers of the Imperial Service, and that in times of war the Government has to rely upon the District Officer for the supply of military transport, for keeping open communications, and for other arrangements in connection with the army in the field, it is argued that he should be an officer of the Covenanted Civil Service. More especially is this said to be the case in regard to districts in which there is a more or less considerable European non-official community or where troops are quartered or important military establishments located.

On the other hand it is argued that it is unfair to allege that Natives of India are not qualified to hold offices their fitness for which has not hitherto been tested and no adequate training ground for which has up to the present time been supplied; that in dealing with riots and disturbances, with the supply of transport, stores and recruits in time of war, and other matters of general administration, the District Officer has to rely almost entirely upon Native agency; that European gentlemen readily enough accept employment under Native control in Native States, Native Armies, as tutors in Native families and managers of Native estates; that there are many districts in which there are no troops and few Europeans, and where no difficulties of collision are likely to arise; and that when Natives have been largely employed in offices of control in other Departments, they have not only not been found wanting but have discharged their duties with marked efficiency.

After a careful consideration of the arguments which have been brought forward on the subject, the Commission is unable to proceed on the general assumption that Natives are unfit for district or other executive charges. They have as yet had no sufficient opportunity of showing their capacity in this respect in the higher executive administration, and the generality of this assumption is not warranted by experience in Departments in which Natives have already been tried. Moreover, it is stated that Natives of India, when placed in charge of districts in Native States, which have been temporarily under British management, have in some cases performed their duties to the entire satisfaction of their superiors and have proved themselves most efficient officers. The same may be said of many Native officers who have held Sub-Divisional charges in British India. Under these circumstances the Commission considers that due

opportunity should be afforded to Natives to prove their fitness for holding the executive charge of districts, and the proposals of the Commission to remove certain district charges from the Schedule of the Statute have been made with this view. As regards the Subordinate Secretariat appointments which it is proposed to exclude from the Schedule, it is only necessary to observe that, as these appointments are invariably made by selection, the effect of their exclusion is merely to widen the area from which the most highly qualified agency can be chosen.

In regard to the exclusion of a portion of the still higher executive offices, namely, Memberships of the Boards of Revenue and Commissionerships of Divisions, from the list of reserved appointments, there was considerable difference of opinion. The Commission considers that, although the appointment to these high offices of persons who are not members of the Imperial Service may not be practicable for some time to come, yet, in view of the higher standard of educational and other qualifications which is being attained in different parts of the country, and of the success with which the duties of Commissioner have been in some cases discharged by Uncovenanted Officers in the Non-Regulation Provinces, there is no good reason for raising a bar against the admission in the ordinary course of members of the Provincial Service who may show that they possess the qualifications necessary for the discharge of high executive functions; that to take power to provide for such cases in ordinary course is better than to resort to exceptional powers under the Statute, the exercise of which is always looked upon with more or less jealousy; that under the Statute of 1870, it is now open to the Government to make such appointments, and that the proposal is only a development of the principle at present in force of selecting officers for Commissionerships and Memberships of Boards of Revenue on the grounds of fitness and efficiency, irrespective of seniority. Further, from the papers officially furnished to the Commission it appears that, as long ago as 1876, the Government of Madras* and apparently the Government of India† itself were in favour of the appointment of a Native of India to the Board of Revenue; and that the Board of Revenue was included among the offices to which Natives were to be admitted in the scheme‡ submitted by the Government of India to the Secretary of State in 1878. Under such circumstances it appeared to the Commission proper to exclude one of the appointments in each Province from the reserved list.

The reasons which prevent the dissentient members, whose names appear in the margin, from acquiescing in the proposal to remove any appointments to the Boards of Revenue from the list of reserved appointments are, briefly stated, that it is not at present supported by the recommendation of any Local Government or by the evidence of any witnesses except an inconsiderable minority who have claimed that all appointments should be removed from the Schedule, and that it is premature and inexpedient. The dissentients are bound to say that in the course of this enquiry the probability that such a proposal would be made was not present to their minds. Careful enquiry was made as to the extent to which the charge of districts might, with due regard to efficiency, be committed to officers locally recruited. The balance of liberal but

Sir C. A. Turner, Kt., C.I.E.
Mr. F. B. Peacock.
Raja Udhai Pertab Singh, of Bhinga, Oudh
Mr. T. H. Stewart.
The Hon'ble Kazi Shahbudin, Khan Bahadur, C.I.E.
Mr. W. H. Ryland.

* From Government of Madras to Government of India, No. 1395, dated 13th December 1876.
† From Government of India to Government of Madras, No. 14, dated 20th April 1876.
‡ From Government of India to Secretary of State, No. 35, dated 2nd May 1878, para. 24.

moderate opinion appeared to support the conclusion that such charges might be entrusted tentatively to carefully selected officers of this class. The Commission has accepted and endorsed this view by limiting its recommendation respecting the removal of Collectorships from the Schedule to the extent of only one-tenth of the appointments. It appears to the dissentients to be inexpedient, before the result of this experiment is known, to extend the recommendation to appointments which entail the duty of supervising and controlling the heads of districts. Again, the Commission, in accordance with the policy which has commended itself to Her Majesty's Government and to the Government of India, has pronounced it necessary at present to retain in the hands of officers recruited in England offices which control and supervise Departments less directly concerned with the general administration. It is admitted that the appointment of persons who are not members of the Imperial Service may not be practicable for some time to come. The dissentients, therefore, prefer to retain all appointments to the Boards of Revenue in the Schedule and to trust to other arrangements to secure that the country shall not be deprived of the benefit of exceptional qualifications in any officer locally recruited rather than to excite hopes which cannot, with any certainty, be gratified within a measurable distance of time. If an officer locally recruited is deemed qualified by exceptional merit for appointment to the Board of Revenue, use can be made of the power which it is proposed to confer on the Government by the suggested amendment of the provisions of the Statute of 1861. If the number of such officers so qualified becomes substantial, it will be competent to the Secretary of State, in the exercise of the power it is suggested that he should possess, to remove this class of appointments in part or wholly from the Schedule. On the other hand, the retention of all appointments to the Boards of Revenue in the Schedule enables Local Governments to resist untoward pressure. The dissentients would not oppose, though they would not strongly recommend, the proposal if the Boards of Revenue were composed of three members who acted in all matters in consultation; but in Madras, where alone there are more than two members, it is understood that the functions of the members are under recent arrangements assimilated to those of Commissioners; and that since 1876, the date of the proposals to which allusion is made, the constitution of the Board and its method of conducting business have undergone material alteration. Everywhere, it is believed, the consultative character of the proceedings of the Boards of Revenue has been greatly modified so as to allow of independent action, and further modifications of the same nature are not improbable.

Reasons similar to those which have constrained the dissentients to oppose the proposal respecting the Boards of Revenue influence them to acquiesce only with much hesitation in the recommendation respecting the Chief Revenue Officers of Divisions, especially as regards this class of appointments in the Lower Provinces of Bengal, the North-Western Provinces, and the Punjab.

78. Amendments recommended in Section 3 of the Statute 24 and 25 Vic., Cap. 54.—Although the Commission is not in favour of the Statutory system, and has recommended* that Section 6 of the Statute 33 Vic., Cap. 3, should be repealed, it nevertheless considers that a power of appointment, similar to that conferred by the Statute of 1870, might with advantage be retained for certain limited purposes only. In the first place, the Commission recognizes the expediency of occasionally advancing deserving members of the Provincial Service to employment in posts of higher emolument and greater

* See para. 72 *supra*.

responsibility than will ordinarily be attainable by them even under the improved prospects opened up by the proposals which the Commission has made; and although it cannot admit that members of the Provincial Service have any claim, as of right, to admission to Scheduled appointments reserved for the Imperial Service and recruited under conditions wholly different from those of their own service, it considers that in the public interests power should be retained to deal specially with cases of very exceptional merit. There may be cases also in which it may be advisable in the interests of the administration to employ persons who do not belong to the Provincial Service. For these contingencies it is desirable to provide. But the power should, for obvious reasons, be exercised very sparingly, and subject to the well defined limitations and conditions provided in the Statute of 1861. Accordingly, the Commission recommends that Section 3 of the Statute 24 and 25 Vic., Cap. 54, should be so amended as to provide for special appointments being made to offices specified in the Schedule on account of exceptional merit and ability proved in the public service, and to judicial offices specified in the Schedule on account of exceptional merit and ability proved in active practice as a barrister, advocate, or pleader of a High Court; as well as "under the special circumstances of the case."

79. Amendments recommended in Section 4 of the Statute 24 and 25 Vic., Cap. 54.—Section 4 of the Statute of 1861 lays down that every appointment made by the authorities in India of a person, not being a member of the Covenanted Civil Service, to any of the offices specified in the Schedule, "shall be provisional only, and shall forthwith be reported to the Secretary of State in Council of India, together with the special reasons for making the same;" and that "unless the Secretary of State in Council shall approve such appointment, with the concurrence of a majority of members present at a meeting, and shall within twelve months from the date of such appointment notify such approval to the authority by whom the appointment was made, then such appointment shall be cancelled." The Commission is not aware of the reasons for which a period of twelve months was fixed as that within which the approval of the Secretary of State in Council should be notified, but on general grounds it would appear that the period is unnecessarily long. When it is remembered that such appointments can only be made under special circumstances, that they will presumably be only of rare occurrence, and that, when made, they may be to important executive or judicial posts, it seems highly desirable that doubt as to their confirmation should continue for the shortest possible period. The Commission is further of opinion that the system at present laid down by the Statute, which requires the cancelment of such appointments unless the approval of the Secretary of State in Council is notified within a specified period, should be modified, approval being presumed unless the pleasure of the Secretary of State is expressed within the period stated. Lastly, it seems expedient that the Statute should contain an express provision validating official acts performed by the officer concerned during the period which elapses between appointment and receipt of the final orders of the Secretary of State in Council, if those orders should disallow the appointment. Under this head the Commission would accordingly recommend that Section 4 of the Statute should be amended and supplemented as follows:—

(*a*) the period within which the pleasure of the Secretary of State in Council should be expressed should be six months;

(*b*) in the event of the pleasure of the Secretary of State in Council not being expressed within six months, it should be declared that approval is to be presumed; and

(*c*) in the event of the appointment being disapproved, the law should declare that no official acts performed by the officer, until he receives notice of such disapproval, shall on that ground be held invalid.

80. Saving of rights of Covenanted Civil Servants and other Officers appointed before the year 1870.—In the documentary evidence relating to the Punjab will be found* a Note put in on behalf of junior officers of the Covenanted Civil Service employed in that Province, with the object of showing that certain cases in which Natives have been appointed direct to superior offices have produced a considerable degree of uncertainty and uneasiness in the minds of Covenanted Civil Servants as to their promotion and prospects. It is urged that these appointments have had the effect of retarding promotion, already slow in the Punjab Commission; that the Statute 33 Vic., Cap. 3, "as it stood without the rules, was a dead letter, so far as appointments to be made under it were concerned;" and that "to supersede men who have been in the service for periods ranging from seven years to sixteen years under powers allowed to be entirely dormant for nine years, and not brought into actual operation even after that period, is distinctly inequitable and opposed to public policy and morality." On this point the Commission would observe that, although certain appointments of Natives of India to superior posts in the Punjab may have exercised a disturbing influence on the minds of Covenanted Civilians employed in that Province, such appointments have been extremely few in number, while the power to make them under special circumstances was reserved to the Government as long ago as 1861 (Statute 24 and 25 Vic., Cap. 54, Section 3). As regards appointments generally under the Statutory Rules, the Commission cannot see that any valid complaint can be made on the ground that the Statute of 1870 was practically allowed to remain inoperative for some years. That Statute formed the subject of prolonged public discussion in Parliament. On the other hand, the number of appointments thrown open to public competition in England has for some time past been adjusted in reference to the fact that a fixed proportion is reserved for Natives appointed in India, and Her Majesty's Secretary of State some years ago† decided, on memorials presented by certain members of the Bengal Civil Service, that effect must be given to the intentions of Parliament as embodied in the Statute, which was as little hostile to the interests of the Covenanted Civil Service "as a due appreciation of conflicting claims could permit." The Commission does not consider that any appreciable injury has been done to the Covenanted Civil Service, either by the very limited extent to which recourse has been had to the power of appointment conferred by the Statute of 1861, or by the operation of the Rules framed under the Statute of 1870; nor has the Commission received any evidence sufficient to satisfy it that the action which has been taken in this respect has exercised a prejudicial effect either on recruitment for the Covenanted Civil Service in England, or on the efficiency of Covenanted Civilians after their appointment to the service of Government. The matter, however, assumes

* See Volume I, Section III, Sub-Section C, page 106.

† Despatch to the Government of India, No. 68 (Public), dated 27th May 1875.

a somewhat different aspect now that it is proposed to exclude certain appointments from the Schedule of 1861, and to throw open to a service locally recruited certain other appointments which, though not expressly reserved by law for the Covenanted Service, have hitherto been ordinarily held by members of that service. It is, moreover, very desirable that, in giving effect to changes which may be introduced, care should be taken not to disappoint reasonable expectations regarding promotion formed by any class of public servants on the procedure ordinarily adopted by the Government. The Commission would accordingly recommend that in filling up the higher appointments, which it is now proposed to exclude from the Schedule of 1861, regard should be had to the claims of members of the Covenanted Civil Service who competed in or before the year 1870, and also to the claims of officers belonging to the Army Staff Corps or Uncovenanted Service who were appointed to the ranks of the several Commissions in India prior to that year. If this were done, and if the intentions of the Government were at the same time publicly declared, all reasonable ground of dissatisfaction ought to be removed.

CHAPTER VIII.

RECOMMENDATIONS REGARDING THE EXECUTIVE AND JUDICIAL BRANCHES OF THE UNCOVENANTED SERVICE, THE FORMATION OF A PROVINCIAL SERVICE, AND VARIOUS MISCELLANEOUS MATTERS.

81. Amalgamation of certain appointments now reserved for the Covenanted Civil Service with certain appointments in the Uncovenanted Service: Subordinate Service.—The Commission has already recommended that, if the Covenanted Civil Service *cadre* is larger than would be required under its proposals for the reduction of the Schedule annexed to the Statute 24 and 25 Vic., Cap. 54, regard should be had to this fact in all future recruitments. Regard should further be had to the fact that there are some appointments outside the Schedule which it will probably be the policy of the Government usually, though not exclusively, to fill from the Imperial Service and others to which members of the Imperial Service will only occasionally be appointed. It is only by a careful and uniform system of recruitment with reference to these and other relevant facts, as it appears to the Commission, that a due proportion of high appointments can come in time to be filled by Native agency, without sudden dislocation of the existing administration or injury to the just expectations of officers now in the Covenanted Service. But this object must be kept steadily and perseveringly in view. As one means of tending to secure it, the proportion of judicial and revenue appointments excluded from the Schedule should be gradually amalgamated with the higher appointments in the Executive and Judicial Departments of the present Uncovenanted Service and recruited locally as part of that service, which the Commission has already recommended should be called the "Provincial Civil Service."

The lower point at which the line of division should be drawn between the Provincial and Subordinate Services is one of some importance, and with reference to it two considerations have to be borne in mind. The first is that the qualifications required for admission to the Provincial Service must be such as to give fair promise that the candidates admitted to it will in time be fit to discharge the duties of the high appointments formerly belonging to the Covenanted Service but now to be amalgamated with the Provincial Service, to which members of the Provincial Service will ordinarily in due course be promoted. The second is that the rate of pay of the appointments at the commencement of service, and the character of the duties and conditions of service generally, should be such as to attract men possessing qualifications of the kind above referred to. In the Executive Service of the several Provinces, a more or less distinct line of division can be found between, on the one hand, the appointments of Deputy Collectors or Extra Assistant Commissioners, and on the other hand, the appointments of Tahsildárs, Mámlatdárs or Mukhtyárkárs. A cardinal difference exists between the ordinary duties which appertain to officers belonging to these two classes. Moreover, the evidence before the Commission shows that it is undesirable to recruit directly for the appointment of Tahsildár; and any lower point fixed for the recruitment of the Provincial Service would be too low for the general standard which it is desired to introduce for that service.

For these reasons the Commission would indicate the line between those classes of appointments as that which it would be disposed to recommend as the line of separation between the Provincial and Subordinate Executive Services.

But in the Judicial Service there is greater difficulty, as the duties of the several classes of appointments are to a great extent identical in character. In order to settle a line of division, the practical alternatives appear to be either—

(1) to include only certain classes of appointments in the Provincial Service, or

(2) to draw the line at a certain grade of appointment, or

(3) to determine the line of division according as appointments carry a certain minimum rate of pay.

It appears to the Commission that the Local Government of each Province is in the best position to determine where the line should be drawn for the Province concerned. At the same time it is desirable that the line of division should be drawn on generally similar principles in all Provinces. Under these circumstances, the proper course to adopt appears to the Commission to be to allow the line between the Provincial and Subordinate Services to be determined, separately, by each Local Government for each Province, subject to the sanction of the Government of India, who would doubtless provide for general uniformity of treatment and would guard against different arrangements being adopted in the several Provinces to a greater extent than local circumstances require.

82. Mode of recruitment.—The question of recruitment for the Provincial Service is one of the most important which the Commission has had to consider. The members of this service, especially in the lower grades, will be necessarily brought into touch with the people in all the ordinary affairs of their daily life. It is, as in all services, only the man of exceptional merit who will ordinarily work his way up to highest office, and it is imperatively necessary to take special care to secure proper qualifications in what may be called the rank and file of the service. On the one hand, the Commission thinks it necessary to provide a career above the Subordinate Service, to which the best men of that service can hope to rise. On the other hand, it is impossible to expect that men of the Subordinate Service will ordinarily possess the qualifications necessary for employment in the Provincial Service. The Commission accordingly recommends that the Provincial Service be filled up partly by promotion from the Subordinate Service, and partly by recruitment.

Promotion from the Subordinate Service would of course be made on the principle of selection as a reward for conspicuous merit, and would ordinarily take place from the highest grade of the Subordinate Service to the lowest grade of the Provincial Service. In view of the probability of such promotion, the Commission would recommend that the rules for the recruitment of the Subordinate Service in each Province should be carefully revised in such a way as to adapt them to the altered circumstances which will be introduced if the general recommendations of the Commission are accepted.

It may not be out of place to refer here to the opinion expressed by some witnesses that sufficient care is not always exercised in the selection of persons for the post of Tahsildár. On this point the present Commission unreservedly endorses the view expressed* by the Indian Famine Commission, that inasmuch as "upon the integrity, zeal, and ability of the Tahsildár, very greatly depend

* Report of the Indian Famine Commission, Part II, Chapter II Section I, para. 17.

the satisfactory administration of the tahsil, the proper carrying out of the details of Government, the protection of the people from hardship and oppression, the detection of abuses, and the general well-being of the community," it is impossible that such an officer can be "too carefully selected." It has been asserted that the standard of official morality amongst Tahsildárs is not in all cases as high as could be desired, and the reasons assigned for this alleged defect are, (1) the fact that appointments to the post of Tahsildár are not unfrequently made by the promotion of persons who have worked their way up from the lowest ministerial grades of the establishment, and (2) that the system of recruitment for Tahsildárs is not everywhere such as to ensure that candidates possess sufficiently high educational qualifications. As the question was not directly in issue, the Commission considers it sufficient to draw the attention of the Government to the subject, and to suggest that the greatest care should be exercised in the selection of this class of officers. The weight of the evidence tendered before the Commission is, moreover, clearly to the effect that persons of the "amlah" or lower ministerial class do not, as a rule, possess the qualities required on the part of officers holding such a responsible position as that of Tahsildár, especially when it is remembered that the intricacies and difficulties of the administration have an inevitable tendency to increase, and that they demand increasingly high qualifications on the part of those whose duty it is to cope with them. The Commission also considers that Tahsildárs should not be appointed without careful preliminary training in a post which will fit them for the duties of the higher office.

For the purposes of recruitment of the Provincial Service the Commission believes that, in view of the varying circumstances and requirements of the several Provinces, no uniform system applicable to all Provinces can at present be recommended. But the evidence before the Commission shows that in parts of the country, where the general educational conditions are more advanced than elsewhere, especially in the Presidencies of Madras and Bombay and the Lower Provinces of Bengal, a system of open competition would give satisfaction to some important classes of the community, and would meet objections that are justly felt to a system of nomination. Assuming that candidates for office have given evidence that they possess certain general qualifications without which no person should be appointed to the Provincial Service at all, it is believed that amongst untried men no better guarantee will ordinarily be found for the proper performance of their duty than is supplied by the possession of educational attainments duly tested. The Commission accordingly recommends that a system of open competition should be adopted wherever the Government of India thinks it not inexpedient. Where open competition is considered unsuitable, the Commission is of opinion that a system of competition among candidates previously selected is preferable to a system of nomination, provided that the number of candidates selected for each vacancy is sufficient to make the competition a real one. In regard, however, to first appointments to the Judicial branch from the ranks of barristers, advocates, or pleaders competition would, in the opinion of the Commission, be out of place. But no barrister, advocate, or pleader should be so appointed who has not been in the active practice of his profession for at least three years, and is not qualified by such a knowledge of the vernacular language as is required on the part of other persons before first appointment to the Provincial Service. Whatever system of recruitment be adopted, whether nomination, limited competition or open

competition, the rules should be so framed as on the one hand to secure for the service the best Natives obtainable in the Province, and on the other hand to admit of all claims to admission to the service being fully considered. As the conditions of admission to the Imperial Service aim at high English qualification, so the conditions of admission to the Provincial Service should be framed with a view to secure the best qualifications obtainable in India. On this subject the Commission would recommend that no person should be considered eligible for recruitment in the Provincial Service unless he furnishes satisfactory evidence—

(1) that he is not over 25 years of age (except in the case of barristers, advocates, or pleaders appointed to the Judicial branch otherwise than by competitive examination);

(2) that he has attained a prescribed preliminary standard of education and especially of qualification in one of the vernacular languages of the Province in which he is to be employed. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility; and the evidence required should ordinarily be either a certificate of having passed in the vernacular language and literature by the highest standard of the vernacular school examination, or passing that standard before a Board of Examiners appointed for the purpose of the examination;

(3) that he is of sound health, good physique, and active habits; and

(4) that he is of good character.

All persons appointed to the Provincial Service by recruitment should, in the opinion of the Commission, be subject to a period of probation or training during which time their appointment should be probationary or provisional only, unless in special cases Government considers such probation or training unnecessary.

The Commission further recommends that, as in the Imperial Service, so in the Provincial Service, the Government should retain power in very special cases and under prescribed conditions to make direct appointments to offices in the higher grades. For example, it may be desired, under special circumstances and on account of exceptional merit and ability proved in active professional practice, to appoint barristers, advocates, or pleaders, not being in the service of Government, to the higher grades of the Judicial branch. The Commission would reserve this power to the Government of India, believing that its exercise under exceptional circumstances would be conducive to the public interests; but it considers that, in order to provide a sufficient guarantee of fitness, the exercise of the power should be confined to barristers, advocates, or pleaders of the High and Chief Courts, who are suitable in other respects and have shown distinguished ability in the exercise of their profession for a period of not less than ten years. In the case of any such occasional appointment it is, however, essential that the qualifications described above in regard to a thorough knowledge of the vernacular should be fully insisted upon.

Lastly, the Commission would recommend that recruitment of the Provincial Service should be in all cases made under rules to be sanctioned by the Government of India, such rules being published for general information and republished annually in the Local Government Gazettes. This recommend-

ation is based on the obvious desirability of securing as much uniformity of system as possible, and also of giving periodical and public intimation of the rules in force, not only for the benefit of intending candidates and others, but also in order to elicit any objections which may be entertained thereto.

83. Appointment as Judges of the High Courts of members of the Judicial branch of the Provincial Service, or of Advocates or Pleaders of the High Courts.—Section 2 of the Statute 24 and 25 Vic., Cap. 104 (an Act for establishing High Courts of Judicature in India), lays down that Judges of the High Courts at Fort William in Bengal and at the Presidencies of Madras and Bombay, respectively, shall be selected from—

(1) Barristers of not less than five years' standing, or

(2) Members of the Covenanted Civil Service of not less than ten years' standing, and who shall also have served as Zila Judges, or shall have exercised the like powers as those of a Zila Judge, for at least three years of that period; or

(3) Persons who have held judicial office not inferior to that of Principal Sadar Amin or Judge of a Small Cause Court for a period of not less than five years; or

(4) Persons who have been pleaders of a Sadar Court or High Court for a period of not less than ten years, if such pleaders of a Sadar Court shall have been admitted as pleaders of a High Court.

The same Section further provides that "not less than one-third of the Judges of such High Courts respectively, including the Chief Justice, shall be barristers, and not less than one-third shall be members of the Covenanted Civil Service."

While, therefore, the law lays down that a minimum proportion (one-third) of the Judges of the High Courts at Calcutta, Madras and Bombay shall be barristers and members of the Covenanted Civil Service respectively, no proportion is specified in regard to the other classes of persons eligible for appointment, that is, judicial officers not being Covenanted Civilians and pleaders of a High Court. It is possible that no minimum proportion of appointments was allotted to persons of the latter classes, because when the Statute was passed into law the measure was regarded as an experimental one, and it was felt that no guarantee existed that persons of the classes specified would be available in sufficient numbers and with sufficient qualifications to justify their appointment. But the Commission believes that the experiment has proved a success and the evidence before it supports the view that the time has come when an advance may be made in the direction of appointing to High Court Judgeships a larger* proportion of persons who have held judicial offices or who are advocates or pleaders of the High Courts at Calcutta, Madras or Bombay. The Commission would leave to the Government to decide the extent to which advance should be made, and therefore merely recommends that in the High Courts of Calcutta, Madras and Bombay the number of Judges selected from the Judicial branch of the Provincial Service or from advocates or pleaders of the High Courts should be increased. The Commission has extended its recommendation to advocates of the High Courts, because it believes that the position and qualifications of persons of that class are not inferior to those of pleaders of the High Courts. In the case of the Madras High Court, the recom-

* It is believed that at present in the Calcutta High Court, out of a total strength of thirteen Judges, two Judges belong to the classes named, and that in the Madras and Bombay High Courts, out of a total strength of five and seven Judges respectively, one Judge in each case is neither a Barrister nor a Covenanted Civilian.

mendation is made in the event of the strength of that Court being increased to six Judges. In regard to the Allahabad High Court the Commission abstains from making any recommendation because the Court consists of only five Judges, and if a sixth Judge were added, the question would still be complicated by considerations peculiar to Oudh. The present proposal can apparently be carried out without an amendment of the Statute, although, if such amendment be hereafter undertaken for other purposes, the Commission would recommend that advocates of High Courts, who are, it is believed, practically admitted to the privileges of barristers, should be expressly declared to be eligible equally with pleaders for the appointment of Judges of the High Courts. In the meantime the legal difficulty might be obviated if a rule or order were passed by the High Courts concerned that advocates shall be pleaders. One important effect of this recommendation would be to throw open more fully than at present to members of the Provincial Service, if established, the highest judicial offices of the country, for which it may be anticipated that Natives, of whom the Provincial Service will mainly consist, will become qualified in increasing numbers, if the higher judicial offices are rendered more accessible to them in the manner proposed by the Commission.

84. Field of Recruitment.—The designation Provincial Civil Service indicates the opinion of the Commission that recruitment should be made separately by the Local Governments of the several Provinces to meet their own special requirements. In this connection two questions arise. The first is whether recruitment should be made from all classes of Her Majesty's natural-born subjects. The second is whether there should be any restriction or preference in favour of persons residing within the territories under the jurisdiction of the Local Government or Administration for which the recruitment is made.

In regard to the first of these questions it is to be observed that the Act of Parliament of 1870, the rules laid down by the Government of India and by Her Majesty's Secretary of State in 1879,* and the various orders of the Government of India and the Secretary of State which led to the institution of the Statutory system, were designed to reserve local recruitment to Natives of India. The broad declaration of policy embodied in the Statute of 1833 and in the Proclamation of 1858 had been found in practice insufficient to secure for Natives of India a due share in the higher administration of the country. As the Commission has proceeded throughout on the cardinal principle of equality of treatment for all classes of Her Majesty's subjects, it is necessary to take careful precautions that under the arrangements it proposes the policy of the Government will be duly secured. It is mainly with this view that it has introduced among the preliminary qualifications of eligibility for the Provincial Service a very high standard of attainment in the vernacular languages, and has recommended that the rules for recruitment in the several Provinces should be subject to the sanction of the Government of India. With these safeguards, it appears to the Commission that the orders of 1879, which have been much misapprehended in their practical application, should be cancelled. At the same time the Commission would apply to the Provincial Service the rule, that, when it is considered necessary to recruit Europeans otherwise than under the published rules, the recruitment should be made in Europe and by Her Majesty's Secretary of State. It is believed

* See Appendix J to this Report.

that a rule of this nature would be in accordance with the accepted policy of the Government, the soundness of which has on more than one occasion been affirmed.

In regard to the second question, namely, whether in recruiting for the Provincial Service, there should be any restriction or preference in favour of persons residing within the territories under the jurisdiction of the Local Government or Administration for which the recruitment is made, the evidence before the Commission shows a preponderance of opinions, both in number and in value, in favour of recruitment from the inhabitants of the Province, on the ground that such persons are presumably better qualified for service in a Province, with the customs, language, and general requirements of which they are familiar, than non-residents are likely to be. By others it is contended that, as the object of the Government should be to secure the most highly qualified agency available, the appointments should be conferred, irrespective of considerations as to place of birth or residence, on those persons who are considered by the appointing authorities to be best fitted to discharge the duties which they may be called upon to perform. It is further urged that in the less advanced Provinces non-residents can only be excluded at the sacrifice of efficiency, inasmuch as properly qualified local candidates are not always available. After careful consideration of the arguments which have been brought forward on the point, the conclusion of the Commission is that it is inexpedient to lay down a rule restricting the recruitment for the Provincial Service to residents of the Province concerned. At the same time, although persons may to some extent be employed, not only with acceptance to the people but with advantage to the State, in Provinces to which they do not belong, the Commission would see in their indiscriminate employment in this way, to the practical exclusion of Natives of the Province, the possibility of a grave political danger, and it may perhaps be said that this danger is certainly not less serious in the case of subordinate appointments, the holders of which are necessarily brought into intimate relations with the inhabitants, than in that of the higher administrative posts. Recognising, therefore, the fact that the great majority of the Provincial Service must necessarily be persons who belong to the Province in which they have to serve, the Commission, while recommending that the recruitment should be open to all natural-born subjects of Her Majesty, would further recommend that the Government of India should prescribe from time to time such limitations in respect of residence or otherwise as may be considered expedient. As a general rule, the Commission considers that recent residence of at least three years in the Province should be an essential condition of admission to the Provincial Service.

85. Rules regarding pay, leave, and pension.—Inasmuch as no practical advantage can result from a comparison between the conditions of service which are necessary or suitable in the case of officers recruited in England and officers recruited in India respectively, the Commission is strongly of opinion that the grades of pay in the Provincial Service and the pay of appointments to be held by its members, together with the general conditions of such service as to leave and retiring annuity, should be fixed on independent grounds and bear no relative proportion to those of the Imperial Service. In short, the simple principle which the Commission would adopt is to adjust the conditions of the Provincial Service by the consideration of the terms which are necessary to secure locally in India the desired qualifications. The rate of pay would

thus depend on the place of recruitment and the service to which the officer belongs, independently altogether of questions of nationality, and would cease to be complicated by distinctions such as those attached to the Statutory Service which are felt to be invidious and are not based on any clear principle. Various alternative suggestions for the adjustment of pay as between European and Native officers have been made by witnesses examined before the Commission; but these suggestions are either based on arbitrary distinctions or involve to a greater or less degree the difficulties inherent in the present two-thirds rule; and none of them, in the opinion of the Commission, is so simple, so workable, and so defensible on general grounds as the principle which the Commission recommends. The same remarks apply to the leave and pension rules. The leave and pension rules to be adopted might with modifications be those laid down for the present Uncovenanted Service, which are believed to have been framed on the assumption that the Uncovenanted Service would be mainly recruited from Natives of India. The pay of officers of the Provincial Service appointed specially to high office for exceptional merit and ability on the rare occasions on which the Secretary of State might exercise the powers reserved to him, would receive special consideration at the time. In one case only would the Commission depart from the principle of regulating the pay, leave, and pension rules according to the place of recruitment, namely, in regard to those high appointments which are made directly by Her Majesty. For such appointments, which are very few in number and stand upon a footing of their own, the Commission considers that an exception to the general principle might well be made. The Commission accordingly recommends that for appointments made by Her Majesty, the pay and the rules governing leave and pension should be the same for all incumbents whether belonging to the Imperial or the Provincial Service or appointed from outside the service of Government. In no case, as it appears to the Commission, should retrospective effect be given to alterations made in pension rules against the will of persons, being already in the service of the Government, who may be injuriously affected thereby. When alterations are made, persons in the service should be allowed the option of adhering to the old rules or accepting the new rules as a whole with all their advantages and disadvantages.

The Commission does not consider it to be within the scope of its instructions to discuss the rates of pay which should be attached to the offices assigned to the Provincial Service, or to others which, although not expressly assigned to the Provincial Service, are intended usually to be held by members of that Service. It regards that question as one with which the Government alone is competent to deal. But the Commission may be permitted to observe generally that where the present Uncovenanted Service is graded, there would probably be no necessity for more than an addition in some cases to the higher grades, and in other cases the creation of grades above the present scale so as to absorb the higher appointments taken over from the Imperial Service. With regard to appointments not so graded which it may be intended usually to fill from the Provincial Service, the Commission would recommend that the pay should be fixed with reference to what is required for the Provincial Service and not by a consideration of the pay which would be required for members of the Imperial Service when appointed. In this way the Commission is of opinion that the financial saving, to which reference is made in the concluding sentence of paragraph 6 of its instructions, will best be secured.

86. Saving of rights of existing incumbents.—Finally, the Commission desires to explain that its recommendations for the creation of a Provincial Service are subject to due consideration for the rights of existing incumbents of all classes of appointments which may be affected by its proposals. The Commission would on no account recommend the adoption of measures which would directly interfere with the reasonable expectations of deserving officers already in the service of Government. Accordingly, the recommendations of the Commission regarding the recruitment of the Provincial Service must be understood as conditional on the introduction of changes in such a way as will prevent any result of this nature. Having thus described the general scheme which it advocates, the Commission proceeds to consider certain subsidiary matters which have arisen in the course of the present enquiry.

87. Treatment of officers already appointed under the Statute of 1870 in connection with the proposed Provincial Service.—In view of the express provisions of the Statute of 1870, which permits the appointment of Natives of proved merit and ability to specific posts only, and the consequent ruling of Her Majesty's Secretary of State that persons appointed under the Statutory Rules are not members of the Covenanted Civil Service, it becomes necessary to consider what position the Statutory Civilians already appointed should hold with reference to the Imperial and the Provincial Services. On this point the Commission is of opinion that the most expedient and equitable course will be to absorb such officers in the Provincial Service. By becoming members of an organised service with consequent claims to the usual promotion in ordinary course, they would obtain a distinct advantage over and above that which they now enjoy by virtue of holding particular offices. Accordingly, the Commission recommends that Statutory Civilians in actual service be absorbed into the Provincial Service in such positions as, having regard to the circumstances of each case, the Government of India may consider to be equitable. If this recommendation is accepted, effect would doubtless be given to it in such a way as not to disappoint any reasonable expectations on the part of the officers concerned.

88. Dismissal of Officers of the Provincial Service.—The Act of the Government of India, No. XXXVII of 1850 (for regulating enquiries into the behaviour of public servants), provides (Section 2) that "whenever the Government shall be of opinion that there are good grounds for making a formal and public enquiry into the truth of any imputation of misbehaviour by any person in the service of the East India Company not removable from his office without the sanction of the same Government, it shall cause the substance of the imputations to be drawn into distinct articles of charge, and shall order a formal and public enquiry to be made into the truth thereof." Section 24* of the same Act prescribes that "nothing in this Act shall be construed to repeal any Act or Regulation in force for the suspension or dismissal of Principal and other Sadar Amins or of Deputy Magistrates or Deputy Collectors, but a Commission may be issued for the trial of any charge against any of the said officers, under this Act, in any case in which the Government shall think it expedient." And Section 25 lays it down that "nothing in this Act shall be construed to affect the authority of Government for suspending or removing any public servant for any cause without an enquiry under this Act." Under

* Repealed as to Bengal and the North-Western Provinces.

the provisions of the existing law, therefore, it is left to the Government to decide as to the expediency of making a formal enquiry in each particular case. If an enquiry under the Act of 1850 were specially asked for by an officer in the higher grades of the Government Service, it is unlikely that without special reasons it would be refused. In regard to officers in the lower grades, the Commission is aware of the fact that a standing order of Government exists to the effect that no officer shall be dismissed without being first afforded an opportunity of tendering an explanation of his conduct, and this order is doubtless, as a general rule, observed. In the case, however, of officers holding posts of such importance as some of those which it is proposed to assign to the Provincial Service, the Commission thinks that it would be conducive to the public interests and would tend to efficiency if it were distinctly understood that a formal and public enquiry to be conducted in the manner prescribed by law would not be refused if asked for. The Commission accordingly recommends that before the dismissal of any member of the Provincial Service, otherwise than on the result of a judicial investigation, he should be afforded an opportunity for enquiry under the law for the time being in force relating to enquiries into the behaviour of public servants.

89. Promotion to responsible office to depend on fitness: Enforced retirement and graduated pensions.—In the Report* of the Indian Famine Commission it was pointed out that inasmuch as the posts of chief administrative officers of districts and Judges involve very responsible duties, the principle of selection should be more completely adopted in regard to those appointments, and that "when, in the order of seniority, officers become eligible for appointments to the posts of Collector or Judge, there should be no hesitation about passing over those persons who have not given distinct evidence that they are fit for such office." The same Commission expressed an opinion that, in the case of an officer declared ineligible for future promotion, it should be in the power of the Government to require his retirement on a suitable pension. The present Commission desires to express its general concurrence in these recommendations. The Commission has proposed a reduction in the strength of the Imperial Service, and it is more than ever necessary, therefore, that every member of the *corps d'élite* should be thoroughly efficient. No officer, who is declared unfit for promotion in due course, should be retained in its ranks. The efficiency of the Provincial Service is scarcely of less importance, and the Commission accordingly recommends, as a general rule, that officers of the Imperial and Provincial Services, if declared ineligible for promotion, should, after a certain period of service, be liable to be compulsorily retired on reduced pensions calculated with reference to their period of effective service.

90. Appointment of a Board of Examiners for each Presidency or Province.—In order to provide for the satisfactory conduct of any examinations which may be prescribed for admission to the several branches of the public service, it appears to the Commission very desirable that the duty of supervising and making the necessary arrangements for such examinations should be entrusted in each Presidency or Province to some central Board constituted by authority, as is done in England. The Commission is aware that to some extent arrangements of this kind already exist in certain Provinces, but these arrangements appear to be susceptible of improvement and might with advantage be revised with the object of making the examinations a real and effective test of

* Part II, Chapter II, Section I, pages 103-104.

educational and linguistic qualifications and of inspiring additional public confidence. Accordingly, with a view to arrange generally for the conduct of examinations when prescribed by the rules for admission to the Provincial and Subordinate Services, and to secure as far as possible uniformity of standard, the Commission recommends that a Board of Examiners should be appointed in each Presidency and Province, who should perform duties similar to those entrusted to Her Majesty's Civil Service Commissioners in England, and that, whenever possible, non-official Europeans and Natives should be represented on such Boards. The Commission attaches considerable weight to the representation of the non-official element on the Boards, and it believes that such a measure would be regarded with approval by a considerable section of the public.

The following members of the Commission, namely, the Hon. Romesh Chunder Mitter, M. R. Ry. Salem Ramaswami Mudaliyar, and Rao Bahadur Krishnaji Lukshman Nulkar, have accepted the scheme set forth in the present and preceding Chapters of this Report, inasmuch as it secures to the Natives of India a fair opportunity of gaining admission to the higher branches of the administration, and they trust that it may be accepted as a whole. They, however, desire to say that if any alteration is made on essential points, or if the policy of appointing qualified Natives of India to offices not reserved in the revised Schedule is not acted up to in due course, their view might be materially changed.

CHAPTER IX.

REMARKS AND RECOMMENDATIONS RELATING TO THE SPECIAL DEPARTMENTS.

91. Preliminary.—The more immediate subjects of enquiry in connection with the special Departments are defined in the instructions of the Commission to be "the present regulations of the various Departments as to admission to the various grades and ranks in each; the conditions of service in each Department, and the capacity for rendering efficient service therein of the various classes who put forward claims to such employment." These subjects have been fully enquired into by the Sub-Committee, and a complete summary of the information of which the Commission is in possession will be found in the notes of the Sub-Committee which are, for facility of reference, attached to this Report in a collective form as Appendix O. As it appeared desirable to avoid the repetition of statistics and facts which would have greatly increased the length of this Report, while it would be difficult to give a more concise statement of the opinions collected than will be found in the notes, the present Chapter is confined to a statement of the views and recommendations of the Commission in regard to the several Departments, preceded only by such a brief description of the present organization of each Department as is necessary to explain the recommendations made. The statistics given are based on figures supplied by the Heads of the several Departments and are believed to be substantially correct, though in some cases absolute accuracy could not have been secured without delay incommensurate with any resulting advantage.

The Sub-Committee has ordinarily confined its enquiries to posts which carry salaries of R100 a month and upwards, because it is mainly in regard to such posts that competition takes place between Natives of India and other races, and because the very large majority of the appointments which carry a lower rate of pay are already held by Native agency.*

To secure that the operations of the several Departments may be conducted in conformity with the principles which govern the general administration, and to avoid friction where the interests of important Departments may come into conflict, or where international obligations may demand peculiar consideration, the Commission has deemed it necessary to recommend that, in accordance with the existing practice, the control of certain Departments should be retained in the hands of members of the Imperial Service. In these and all other cases the main object of the Commission has been to secure efficiency. In the case of the Scientific Departments, such as the Archæological, Meteorological and Geological Surveys, it is obvious that the results obtained, if inaccurate, are not only valueless but may be mischievous. The same remark applies to the work of the Trigonometrical Survey. The interests of commerce especially demand the most competent agency in the Mint and in the Postal, Telegraph and Pilot Services. In the interests of the revenue the recruitment for the Opium, Salt, Customs, Forest and Revenue Survey

* It has been ascertained from official returns that of 114,150 posts in all Civil Departments carrying salaries of less than R1,000 a year, 110,460 or nearly 97 per cent. were on the 31st March 1886 held by Natives and only 3,690 by Europeans and Eurasians.

Departments must aim at obtaining officers in all respects capable of securing the dues of the State, of improving its resources, and of causing the least inconvenience and oppression to the public. A well-trained and competent staff is essential for the efficient and economical administration of a Department of Public Works. A Department of Account exhibits its excellence not only in maintaining complete checks on expenditure, but in entailing the least labour on the Departments whose expenditure it controls and with whose working it must, therefore, be to some extent familiar. The primary object of the Police Department is the maintenance of public order and the prevention and detection of crime. No system of recruitment which omits to take note of these considerations can be regarded as satisfactory.

The correspondence to which reference has been made in the notes of the Sub-Committee on the several Departments shows that the Government of India, while keeping in view these essential conditions, has laboured to give effect to the principles recommended by the Court of Directors and adopted in the Royal Proclamation. Where it has found in any Department a reluctance to give a fair trial to the employment of Natives in places of trust and responsibility, it has pressed on the controlling officers the adoption of a more liberal policy; where it has had reason to believe that the unfitness of Natives for such positions has arisen from the insufficiency of opportunities for scientific or technical instruction, it has endeavoured, so far as its finances permitted, to supply them or has invited existing educational institutions to lend their aid. It is in consequence of the confidence which the action of the Government of India thus inspires that, in some instances, the Commission has, instead of making definite recommendations, proposed that it should be left to the Governor-General in Council to determine the extent to which Native or other local agency may be employed in certain Departments to which such agency may at present be too sparingly admitted.

The Commission desires it to be understood that where it has made no specific recommendation respecting recruitment and conditions of service in any Department in which changes are suggested, it advises the adoption, as far as may be practicable, of the same rules as to preliminary qualification, recruitment, probation and general conditions of service as it has recommended in a former portion of this Report for the Provincial Service. It also desires to explain that its recommendations in regard to the several Departments are subject to due consideration for the rights of existing incumbents of all classes of appointments which may be affected by its proposals.

ACCOUNTS DEPARTMENT.

(*Appendix O. 1.*)

92. Existing organization.—The Department is at present constituted as follows:—

Excluding the Financial Secretary and Under-Secretary to the Government of India, the total number of officers holding superior appointments is forty-seven. At the head of these is the Comptroller General. Then come five Accountants General divided into three classes. Below the Accountants General are the Enrolled officers, thirty-eight in number (of whom five are said to be supernumeraries), divided into six classes, and four probationers.

The Comptroller General and all the Accountants General are non-domiciled Europeans, and all belong to the Covenanted Civil Service, except one

Accountant General who was appointed to the office by the special procedure prescribed in Section 3 of the Statute 24 and 25 Vic., Cap. 54. In the different classes of Enrolled officers there are twenty-three Europeans not domiciled in India (of whom four are Covenanted Civilians), eight domiciled Europeans, three Eurasians, two Hindus, one Burman, and one Parsi. Of the probationers two are non-domiciled Europeans and two are Hindus. One consequence of the reduction in 1880 of the scale of Enrolled officers to thirty was that the numbers in excess of the scale already on the list were treated as supernumeraries, and had to be absorbed as vacancies occurred. This prevented recruitment for the Enrolled grades for a considerable period; otherwise, the number of Natives would, under the rules for recruitment, be larger than it is. The four Natives on the list were appointed direct to the Department, being carefully chosen either for academical distinction or other special qualifications.

For admission to the grade of Enrolled officers Covenanted Civil Servants are selected by the Government of India. All other persons are nominated and must pass a competitive examination, the minimum number of nominees for each vacancy being three. At every third examination the nominees are to be Natives of India of unmixed descent. Successful candidates are appointed as probationers, and, after passing the prescribed departmental examinations, are promoted to the Enrolled list as vacancies occur, and rise in that list by seniority and merit.

Below the Enrolled list come the superior officers of the Subordinate Accounts Service, styled Chief Superintendents, divided into five grades. There are twelve of these officers at present on the establishment, of whom three are Europeans not domiciled in India, one is a domiciled European, five are Eurasians, and three are Hindus. The Chief Superintendents are for the most part officers selected from the subordinate staff for exceptional qualifications. Their duties and pay are much the same as those of the lower grades in the Enrolled list. The Government does not confine its selection of Chief Superintendents to the Subordinate Accounts Department; but, as a fact, only one has been appointed during the last six years who did not serve for some time in that branch.

The Subordinate Accounts Service consists of all employés below Chief Superintendents, receiving salaries of ₹30 a month and upwards. It was established because under the old system, which allowed men to rise from the lowest paid clerical appointments, it was found that there was a danger of responsible offices being filled in course of seniority by men who had outlived their energy. The establishment of the separate service secures a higher stamp of men than could otherwise be obtained for the lower appointments. They are not all on one graded list, but belong each to one office list and are on that list for promotion. Each Accountant General selects persons for his own office, subject to the assent of the Comptroller General to each nomination. The appointments are made locally and the men appointed are not ordinarily liable to transfer.

The Covenanted Civilians in the Department are subject to the rules applicable to the Covenanted Service in respect of leave and pension. All other officers are subject to the rules for the Uncovenanted Service, except the officers classified in the Enrolled list and appointed by or with the sanction of the Secretary of State, and a few others exceptionally treated, as in other Departments, who enjoy the more favourable leave rules contained in Chapter V of the Civil Leave Code.

93. Views and recommendations of the Commission.—The Head of the Finance Department under the Government of India is the Comptroller

and Auditor General, and the Commission is of opinion that this office should be filled ordinarily from the Imperial Service. It is not contained in the Schedule to the Statute 24 and 25 Vic., Cap. 54, which enumerates the offices reserved by law for the Covenanted Civil Service, because the office did not exist when that Statute was framed, but the highest offices of the Finance Department as then constituted were so included, and there can be no doubt that the Comptroller Generalship would not have been omitted had it been in existence at that time. The power conferred by the Statute of making exceptional appointments, notwithstanding the reservation, will sufficiently provide for special cases in which it may be thought desirable to select for the appointment a person not belonging to the Imperial Service. The Commission accordingly recommends that the office of Comptroller and Auditor General should be included in the Schedule attached to the Statute 24 and 25 Vic., Cap. 54.

The functions discharged in 1861 by Civil Auditors and Sub-Treasurers are now performed by other agencies, and these two offices should accordingly be removed from the Schedule. The Commission would also remove from the Schedule the office of Accountant General. Some doubt has been felt whether this latter office, as now constituted, was contemplated by the Statute. The Government of India and the Secretary of State have of late years acted on the view that it does fall within the meaning of the Statute, but the Commission believes that this reservation is not now required. It is fully alive to the increased importance of the functions of the office due to the general expansion of the administrative business of the Government of India, and to the introduction of the scheme of provincial finance, whereby the Accountants General, in addition to their duties connected with the Government of India, became the financial advisers of the Local Governments, who under that scheme maintain separate accounts and have a separate financial administration. It considers that ordinarily these appointments will be most efficiently filled by members of the Imperial Service, but it would encourage and stimulate officers of the Enrolled list by holding out to them the prospect of attaining the position of Accountant General by exceptional merit.

The present mode of recruitment for the Enrolled list is very generally condemned as not securing adequate guarantees for the education and industry of candidates. A competitive examination among three nominees selected on no principle has none of the advantages of competition among a large or unlimited number of candidates, and may result, as it apparently has resulted, in the admission to the Department of some indifferent officers. The evidence before the Commission leads it to doubt whether it is necessary to maintain the Enrolled list at its present strength and on its present footing, which is practically that of a close service recruited mainly from persons imported from England. The Commission believes that indigenous agency might be much more largely introduced into it, and in this belief recommends that the sources of recruitment should be extended. Appointment of outsiders should, it appears to the Commission, be by open competitive examination, but appointments should also be made as at present to a limited extent from the Covenanted Civil Service, with a view of affording to selected officers of that service a technical training in Accounts sufficient to qualify them for the higher financial offices Promotions should be made of Chief Superintendents who have proved that they possess capacity for the superior branch; and the exceptional appointment of officers who have shown marked ability in the charge of Treasuries or in other

Departments of the Provincial Service would, in the opinion of the Commission, be advisable in the interests of efficiency.

In the successive changes made in this Department the Government of India has expressly reserved to itself a discretion of appointing to the Enrolled list any person whom it may deem it conducive to the interests of the public service so to appoint, and the Commission considers that the maintenance of this reservation is highly expedient.

ARCHÆOLOGICAL SURVEY DEPARTMENT.

(Appendix O. 2.)

94. Existing organization.—The Department, as at present constituted, consists of the Director General, five Surveyors, two Assistant Surveyors, an Epigraphist, and a Head Draftsman. The Surveyor in the Bengal Circle is a Eurasian; the Head Draftsman is a Hindu; all the other officers in the Department are Europeans, the Madras Epigraphist, Dr. Hultzsch, and the Assistant Surveyor in the North-Western Provinces, Dr. Führer, being German scholars who were appointed for their reputation in Oriental studies. There are also employed in the Department twenty Draftsmen, principally students from the Schools of Art, of whom fifteen are Hindus, four are Mahomedans, and one is a Eurasian.

95. Views and recommendations of the Commission.—Useful work in recovering the past history of India from its monuments and inscriptions can only be achieved by thoroughly competent enquirers. The pecuniary rewards to which they can look forward are so small that those only will devote themselves to the necessary studies who are influenced by an absorbing interest in historical enquiries or by the desire of literary fame. The combination of the qualities required is rarely found, and the Government of India has accordingly limited the scope of the Department to "the survey and conservation of the ancient monuments of India and the acquisition and translation of ancient inscriptions," so that accurate materials may be furnished for the use of independent enquirers. Moreover, it appears from the correspondence furnished to the Commission that the discontinuance of archæological operations by a Department as at present constituted will come under consideration within a comparatively short period.

The only recommendation, therefore, which the Commission can offer in respect of this Department is that facilities should be given to a limited number of graduates of the Universities, sufficiently prepared by previous study, to take advantage of the stipulation made by the Secretary of State in the engagement of Dr. Hultzsch that he should train Native students in Epigraphy. Dr. Burgess states that Dr. Führer would also probably be willing to undertake the training of a class. These students when trained would be able to deal with inscriptions which would supplement the typical examples already carefully edited, and if no opportunity were available for their employment in archæological enquiries, the instruction they had received would render their services more valuable as specialists in the Department of Education.

The Commission desires to call attention to the complaints that the results obtained by the Department are exhibited in too expensive a form, and to the suggestion that as soon as accurate copies of inscriptions are obtained, they should be published without delay. If the Department is abolished, it will

probably still be necessary to make some provision to secure for Local Governments competent advice as to the conservation of ancient monuments; but this duty could be discharged by a single officer selected with due regard to his qualifications for such employment.

CUSTOMS DEPARTMENT.

(Appendix O. 3.)

96. Existing organization.—

MADRAS.

The Chief Customs authority in Madras is the Board of Revenue. The Collector of Sea Customs, who also holds the appointments of Collector of Land Revenue of the town of Madras, Collector and Commissioner of Income Tax, Superintendent of Stamps and Stationery, Protector of Emigrants and Chairman of the Port Trust, is a Covenanted Civilian and a non-domiciled European. The Deputy Collector of Sea Customs, whose duty it is to appraise goods, gauge liquors and collect customs duties, is also a non-domiciled European. The Superintendent of Imports and Exports and the Manager are Eurasians. The Accountant is a Hindu.

There is only one Preventive officer attached to the Madras Sea Customs office and entertained by the Government. He is a Brahman. Twenty Preventive officers are entertained by the Port Trust, of whom two or three are Europeans, one is a Parsi, and another is a Eurasian. No salary amounting to R100 a month is paid to any of these officers.

There are several Superintendents of Sea Customs at the ports of the Presidency, but in most cases the office is amalgamated with that of Port Officer or Master Attendant. In some cases, the appointments are held by Natives; but few carry a higher salary charged to Customs than R100 a month. The Superintendent at Calicut is a Eurasian; those at Cocanada and Pámban are Hindus, and the others are Europeans.

The officers of the Department, other than the Collector, enjoy the privileges of furlough and pension accorded to the Uncovenanted Service by the Civil Leave and Pension Codes.

BOMBAY.

The Chief Customs authority in the Presidency of Bombay is the Commissioner of Customs, Salt and Opium, whose office is reserved for members of the Covenanted Civil Service by the Statute 24 and 25 Vic., Cap. 54. The Commissioner is also Reporter-General of External Commerce. The Opium Salt and Abkári Departments in Bombay are combined with the Customs Department. The gazetted Executive staff consists of six officers, of whom two, the Collector and 1st Assistant Collector, are Covenanted Civilians. These officers, in addition to their duties connected with Sea Customs, administer the Land Revenue and Abkári of the Town and Island of Bombay and superintend the Stamps and Stationery Departments of the Presidency. All the Covenanted officers in the Department are Europeans. The other four gazetted officers are the 2nd, 3rd and 4th Assistant Collectors and the Superintendent of the Preventive Service. Of these officers, the 3rd Assistant Collector is a Parsi, the others are domiciled Europeans.

The Gauging staff consists of six officers, of whom four are Eurasians, one is a non-domiciled European, and one is a Parsi. To secure efficiency and regularity of promotion, Gaugers are graded with the Abkári Inspectors employed outside the limits of the Presidency Town, most of whom are Europeans or Eurasians originally enlisted for the Preventive Service.

There are seven Examiners or Appraisers, of whom three are Parsis, two are Hindus, one is a Native Christian, and one is a domiciled European. Appointments in this branch are usually made from the clerical staff, but, in rare instances, persons with special qualifications are engaged if the vacancy cannot be adequately filled by promotion.

The Superintendent of the Preventive Service is ordinarily selected from the ranks of that service. Exclusive of the Superintendent, the Preventive staff consists of thirty-nine officers. Of five Inspectors, three are domiciled Europeans and two are Eurasians. Of five Preventive officers in the 1st grade, one is a domiciled European and four are Eurasians; of six in the 2nd grade, three are domiciled Europeans and three are Eurasians; of ten in the 3rd grade, five are domiciled Europeans, four are Eurasians, and one is a Native; of thirteen in the 4th grade, ten are domiciled Europeans and three are Eurasians.

Sind.

The Commissioner in Sind is *ex-officio* the chief Customs authority. The chief Executive officer is the Collector of Customs, who is also Assistant Commissioner of Salt Revenue. This officer is a non-domiciled European. Subordinate to the Collector is an Assistant Collector, a Eurasian. The head Preventive officer, the officer in charge of Customs at Kali Bunder, and the Statistical Compiler are, it is believed, Eurasians, as is also the Head Clerk. No other officer in this Department receives a salary of ₹100 a month.

Bengal.

The Customs Service in Bengal is administered under the supervision of the Board of Revenue. The chief Executive appointment, that of Collector, is conferred on members of the Covenanted Civil Service. The other gazetted officers are the Assistant Collector and the Superintendent of the Preventive branch. The office of Assistant Collector was up to 1854 held by a Covenanted Civilian. In that year it was conferred on a member of the Tagore family who held it for about four years. In 1880 the office of Head Appraiser was amalgamated with it; the present incumbent, a non-domiciled European, discharges also the duties of Treasurer.

The staff of the Customs House proper is for purposes of convenience distributed among several branches, the Appraisers, the Import, the Export, the Cash, the Accounts, the Statistical and the Wharf branches. The officers in these branches subordinate to the Collector were recently distributed into eight grades. In each of the first three grades, there is one non-domiciled European officer; the other twenty-six officers are Statutory Natives, five being domiciled Europeans, thirteen Eurasians and eight Hindus. Of the Hindus, one is in the 5th grade and seven are in the 8th grade.

That the heads of the branches are usually Europeans or Eurasians, the Departmental Member attributes to the fact that the higher appointments are almost invariably filled by selection from the Appraisers; and it appears that hitherto only persons of those classes have been deemed qualified for the duties of that branch.

The total strength of the Preventive force is one hundred and nine. The principal officer is the Superintendent. He has also charge of the Sulkea Salt godowns. The present incumbent, who is the only non-domiciled European in the force, is an officer of the Bengal Police, and it is stated that the appointment will hereafter ordinarily be conferred on a member of that service. Of eight Inspectors, three are domiciled Europeans and five are Eurasians. The Subordinate Preventive officers are distributed in nine grades; twenty-seven are domiciled Europeans and seventy-three are Eurasians. The force is recruited from supernumeraries who have proved their fitness when temporarily employed on occasions when the ordinary staff has been insufficient. The Collector states that Natives do not apply for admission to the Department as Appraisers or Preventive officers.

97. Views and recommendations of the Commission.—The Commission is agreed that the Commissionership of Customs, Salt and Opium in the Presidency of Bombay should remain a scheduled appointment. It however considers that the time has arrived when of the three Collectorships and the Assistant Collectorship at Bombay only the two most responsible appointments, namely, those at Calcutta and Bombay, should ordinarily be held by members of the Imperial Service. It is not unmindful that the Collector of Madras is now charged with various duties unconnected with the Customs revenue, but it seems probable that more effective supervision could be exercised if the functions were divided and assigned to two officers of the Provincial Service. In any case the Commission is of opinion that it is unnecessary to include this appointment and the appointment of Assistant Collector at Bombay in the *cadre* of the Imperial Service for purposes of recruitment. The Commission is also agreed that the present system of recruitment by selection should be retained in respect to the other superior appointments in the Customs Department; but that if these appointments are not filled by promotion from the subordinate ranks, or by transfer from the Provincial Service, the persons appointed should only hold their offices provisionally until they have satisfied substantial probationary tests. The Commission further considers that there is no ground for the exclusion of qualified candidates of any race from the Appraisers or Preventive branches. There is evidence in support of the view that Natives may be found in Bengal who are qualified for the Appraisers branch, and in Bombay similar appointments are in fact held by Natives. Although service in the Preventive branch may ordinarily be distasteful to or unsuitable for some classes, it is shown that Native Christians in Bombay have been employed in this service, while a Brahman Preventive officer at Madras is admittedly efficient and in discharging his duties has experienced no difficulty owing to his race.

EDUCATION DEPARTMENT.

(*Appendix O. 4.*)

98. Existing organization.—The conditions of service in the Education Department are uniform as regards pension and leave. Covenanted Civilians or Military officers are subject in these matters to the rules of their respective services. All other officers are subject to the leave and pension rules for the Uncovenanted Service, except those belonging to the graded lists who have been appointed by the Secretary of State or whose names are entered in a list, framed some years ago, of officers of all Departments who were considered

deserving of exceptional treatment. In such cases the leave rules are more favourable than for other Uncovenanted Officers. The following paragraphs show in broad outline the general organization of the Department in the several Presidencies and Provinces.

MADRAS.

The Department consists of a Director of Public Instruction, seventeen graded officers, twenty-seven gazetted but non-graded officers and one hundred and four non-gazetted officers and Deputy Inspectors. The Director of Public Instruction, who is appointed by the Local Government, is not, and has not been, with one exception, an officer of the Education Department. The present incumbent is a non-domiciled European. The graded list is composed of three Principals of Colleges, six Professors, and eight Inspectors of Schools. Of these, thirteen are non-domiciled Europeans, two are domiciled Europeans, and two are Hindus. Graded officers are appointed by the Secretary of State, except in the case of Natives of India elevated to the graded list by the Local Government. Officers are always appointed to the lowest grade on the minimum pay, and Natives of India draw two-thirds of the pay of the appointment.

The non-graded gazetted appointments are made by the Local Government on the recommendation of the Director of Public Instruction, but when the services of a European graduate are considered necessary, the Secretary of State selects a suitable officer from among British University graduates. Of these twenty-seven offices, twelve are at present held by non-domiciled Europeans, one by a European domiciled in India, three by Eurasians, six by Hindus and five by Native Christians.

Of forty-three non-gazetted officers, presumably teachers, four are non-domiciled Europeans, one is a domiciled European, five are Eurasians, twenty-eight are Hindus, two are Mahomedans, and three are Native Christians. The Deputy Inspectors are sixty-one in number, and are, by race or religion, one a Eurasian, fifty-two Hindus, and eight Native Christians.

BOMBAY.

The Directorship is held by a Departmental officer. There are seventeen appointments in the graded list. These comprise three Principalships of Colleges, ten Professorships, and four Inspectorships. Natives of India appointed to a graded office since 1882 receive two-thirds of the pay fixed for Europeans. The Director and thirteen graded officers are non-domiciled Europeans, one of the graded officers is a domiciled European, and three are Hindus. There are ten ungraded College appointments—Professorships and Lecturerships. Four of these are held by non-domiciled Europeans, one by a Eurasian, one by a Hindu, one by a Mahomedan, and three by Parsis. In the Bombay School of Art there are two superior appointments, the Principalship and a Teachership of Drawing. The incumbents of both these appointments are non-domiciled Europeans.

Two appointments of Head Master in High Schools for Males are filled by non-domiciled Europeans; all the others are filled by Natives of India in the Statutory sense, *viz.*, one by a Eurasian, twelve, including that which carries the maximum rate of pay, by Hindus, one by a Mahomedan, three by Parsis and one by a Native Christian. The Local Government desires that in future non-domiciled Europeans should not be employed as Head Masters of

High Schools. In High Schools for Females one Lady Superintendent is a domiciled European and two are non-domiciled Europeans.

All other appointments in the Department are held by Natives of India. The more important of these are three Principals of Training Colleges, five Deputy Inspectors, the Curator of the Book Depôt, and four Translators.

The graded list has been recruited in different ways. Of seventeen officers now on the list, seven were appointed by the Secretary of State for their special qualifications as teachers of particular subjects, three were appointed to High Schools by the Secretary of State and promoted to the graded list by the Bombay Government, four were appointed to ungraded offices by the Local Government and were afterwards promoted to the graded list, and three came to India in the service of private employers and were appointed to the graded list by the Local Government.

Bengal.

The Department consists of two branches, the Superior and Subordinate Graded Services, with some special appointments which are not graded. In the Superior Graded Service, forty appointments belong to the Principals and Professors of Government Colleges and Inspectors of Schools. The Directorship of Public Instruction is held at present by an officer of that service. These officers, excluding the Director, are divided into four classes. Natives of India appointed to the superior grades after 1881 draw two-thirds of the salaries attached to those grades. Including the Director, there are in the superior grades thirty-one Europeans not domiciled in India and one Eurasian; the rest are Natives. In the Subordinate Graded Service there are one hundred and seventy-four appointments, of which only four are held by Europeans not domiciled in India and one by a domiciled European; while five are held by Eurasians, and the rest by Natives. There are thirty-five ungraded appointments. Of these, eight are held by non-domiciled Europeans, one by a Eurasian, and twenty-six by Natives.

European Officers are selected by the Secretary of State, and Native Officers, as a rule, by the Local Government. Promotion is made strictly according to seniority, provided the officer is efficient and is regarded as eligible for further promotion. Of the Native Officers now in the superior grades, six were appointed from the lower branch, and one direct by the Secretary of State.

North-Western Provinces and Oudh.

The Directorship of the Department is at present held by a Covenanted Civilian. There are twelve graded officers. Six of these are employed as Inspectors of Schools, two as Principals, and four as Professors in the Government Colleges at Allahabad and Benares. One graded officer is a European domiciled in India; the remaining eleven are Europeans not so domiciled. Appointments to the graded service are made by the Secretary of State, and officers take rank and receive promotion in order of seniority, the pay being personal and irrespective of the office held for the time being. Besides those included in the graded list, there are eighty-three appointments, gazetted and non-gazetted. Existing incumbents in those offices are, by race, one a non-domiciled European, one a domiciled European, eight Eurasians, and the rest Natives. Appointments are made to the more important of these offices by the Local Government, and to the others by the Director of Public Instruction.

PUNJAB.

The appointments in the Department are divided into graded and ungraded. The former consist of four Inspectorships of Schools and one Principalship and two Professorships at the Lahore College, the only Government College in the Province. The Principalship of the School of Art, the Principalship of the Central Training College, and twenty-eight other appointments are ungraded. At the head of the Department is a Director who is a Military officer, a Colonel in the Bengal Staff Corps, and has served in the Department since the 11th of August 1858. Five of the graded appointments are filled by Europeans not domiciled in India, one by a Hindu, and in one a Hindu is officiating, pending the appointment of an officer by the Secretary of State. The scale for the graded service is eight appointments but one is held in abeyance for special reasons. The Principals of the School of Art, one Professor, and one Assistant Professor are non-domiciled Europeans. The remaining ungraded appointments are filled by Natives of India.

Europeans in the graded service are appointed by the Secretary of State, and Natives by the Local Government. The appointments held by graded officers are interchangeable. A Principal or Professor of a College may be required to act as an Inspector of Schools, or an Inspector of Schools to take charge of a Principalship or Professorship.

CENTRAL PROVINCES.

The staff of the Education Department is divided into officers of control and inspection and Professors and Teachers. The controlling officers are the Inspector General of Education, the Circle Inspectors of Schools, and the District Inspectors. The Inspector General is an Uncovenanted officer, a European not domiciled in India. He is a Master of Arts of the Cambridge University and a Companion of the Indian Empire. One Circle Inspector of Schools is a Lieutenant-Colonel in the Bombay Staff Corps, and two are officers of the Education Department, non-domiciled Europeans, appointed by the Secretary of State, or with his approval. The District Inspectors, eighteen in number, are all Natives of India. There are two other non-domiciled Europeans employed in the Department—one as Principal of the Jubbulpore College and one as Superintendent of the Male Normal School at that place. The Professor of Mathematics in the same College and the Lady Superintendent of the Female Normal School are, by race, Europeans domiciled in India. The Professors of Sanskrit, of Physics, and of English are Hindus. Of a total of eleven officers belonging to the higher Educational Service, six are thus non-domiciled Europeans. The Department contains no Eurasians.

The superior graded officers of inspection and control may either be members of the Covenanted Civil Service or Military officers or Uncovenanted Servants. Three of the four are Uncovenanted officers.

ASSAM.

There are only two non-domiciled Europeans in the Education Department in this Province. One, an officer of the Bengal Graded Educational Service, is Inspector of Schools and head of the Department; the other is Head Master of a Normal School. Twenty-one inferior appointments are all held by Natives of India, of whom nineteen are Hindus. There is no domiciled European, Eurasian or Mahomedan in the Department.

BERAR.

There is only one non-domiciled European in the Education Department in this Province. He is the Head Master of the High School. The Director of Public Instruction and the Educational Inspector are both Hindus. All other appointments are held by Natives.

99. Views and recommendations of the Commission.—However necessary it may have been when English education was in its infancy, and in order to make the most of the limited funds available for educational purposes, to recruit in England for a close Educational Service the members of which would be content to enter as young men on small pay and be ready to take up any duties the Department might assign to them, the time appears to the Commission to have now come when such a system should be largely modified or entirely discontinued. The result of the system and of the modes of recruitment adopted has been to secure a body of officers who, with numerous brilliant exceptions, are not superior to the average graduates of British Universities, and are in no sense specialists in the subjects which they are required to teach. The interchangeability in the Department until very recently of Inspectorships and Professorships did not tend to promote a desire on the part of Professors to keep up their studies of particular branches of learning, and the inclusion in the same list for promotion of both these classes of offices has given rise not unnaturally to feelings of discontent which are unfavourable to efficiency. The Commission is strongly of opinion that Western education has now reached a stage in the older Provinces where it has outgrown this system, and that in the more educationally backward Provinces the graded appointments are so few that a close Educational Service in its present form is not called for.

It has been forcibly borne upon it by the evidence from all sources that there should be in each Presidency and in the larger Provinces at least one college with a staff of Professors capable of teaching up to the highest European standards, under a European Principal; and that the same object should as far as practicable be kept in view in smaller colleges. In the latter the Commission believes that it is not yet possible to dispense altogether with English agency, but the necessity for such agency is decreasing and will decrease in proportion as high education advances and qualified Professors become locally available to a larger extent than at present.

The inspection of schools and colleges should, in the opinion of the Commission, be carried on by an agency entirely separate from the teaching staff and recruited from a different source. According to many competent witnesses successful schoolmasters offer a good field of selection for this office, and it is generally agreed that the recruitment of Inspectors from Europe should be considerably reduced, inasmuch as local agency may be substituted for them without loss of efficiency. The report of the Education Commission written four years ago fortifies the opinions now expressed on these points.

The Commission also wishes to draw the attention of the Government of India to a complaint made at Madras, that a prejudicial effect is produced on the teaching at the Medical College of that Presidency by frequent changes in the Professorial staff, although the evidence before it does not warrant its making any specific recommendation on this subject.

In accordance with the views above expressed the following recommendations are submitted for carrying out the system which commends itself to

the Commission as best suited to meet the existing and future requirements of the Education Department:—

(1) That recruitment should be made in England only for—

(*a*) Principalships of Colleges;

(*b*) Professorships in those branches of knowledge in which the European standard of advancement has not been attained in India; and

(*c*) a smaller number of Inspectorships than at present.

(2) That recruitment of Professors should be ordinarily of specialists, and, when practicable, for a term of years, with power of re-appointment.

(3) That the remuneration of officers recruited in England should be fixed with reference to the attainments required and the duties to be performed in each case.

(4) That the present graded lists of the superior branch of the Department should be abolished, due regard being had to the interests of existing incumbents.

(5) That all other educational appointments should be filled up locally by the present mode or modes of recruitment, on the principles recommended in this Report as to conditions of service for the general Provincial Service.

FOREST DEPARTMENT.

(*Appendix O. 5.*)

100. Existing organization.—The Inspector General with the Government of India is head of the Department. The staff of the Department, excluding the clerical establishment, is divided into three branches, (1) the Controlling Staff, (2) the Executive Staff, and (3) the Protective Staff.

The Controlling Staff consists of Conservators of three grades who are Chief Forest Officers in Provinces or parts of Provinces, and of Deputy Conservators of four grades, and Assistant Conservators of three grades, who are officers in charge of Forest Divisions or Sub-Divisions. To the Controlling Staff appointments are ordinarily made by the Secretary of State. The candidates are selected by competitive examination in England and are specially trained in Forestry before coming to India. Officers so selected must be unmarried men. The officers of the Controlling Staff and certain others specially named are granted furlough under Chapter V of the Civil Leave Code, and their pensions are governed by Sections 67, 96 and 114 of the Civil Pension Code. In the superior staff there are two Eurasians. There is one Native Assistant Conservator and one Native Deputy Conservator, who entered the service by competition in England. All the others are Europeans, of whom only ten are domiciled in India.

The Executive Staff consists of Sub-Assistant Conservators and Forest Rangers, and the Protective Staff consists of Foresters and Forest Guards. These are all appointed in India, and are under the Uncovenanted Leave and Pension Rules. The Sub-Assistant Conservators are usually promoted from the rank of Forest Rangers, but power is reserved to make direct appointments subject to probationary training. In the ranks of the Sub-Assistants and of Rangers drawing more than R100 a month, there are five non-domiciled Europeans, fifteen domiciled Europeans, and thirteen Eurasians. All the others are Natives.

101. Views and recommendations of the Commission.—Favourable testimony has been given to the efficiency of the officers recruited for the Forest Department, and although some doubt has been expressed whether candidates will receive as thorough a practical training at the Royal College of Engineering as was given at the Schools of Forestry in France and Germany, there has hardly been sufficient time to test by experience the results of the change of system or to warrant the expression of a confident opinion on the question. The attention of the Commission has been directed to the circumstance that the number of competitors for each appointment has greatly diminished. This has been attributed by some witnesses to the expense of the training course, but by more to the disadvantageous conditions of service in this Department as compared with those enjoyed by officers recruited in England for the Department of Public Works. The Commission is, however, not in a position to judge how far the paucity of competitors is due to either of the causes suggested. Two Natives of India—one of Portuguese descent, the other a Parsi—have succeeded in entering the service by competition in England. In connection with the competition of Natives at the examination in England it has been pointed out that a rule disqualifying married men from presenting themselves at the examination is unsuited to the circumstances of Natives.

The correspondence to which reference is made in the note of the Sub-Committee shows that on the organization of the Forest Department it was contemplated that Natives should be largely employed in the lower grades of this branch of the public service and should ultimately be prepared by proper instruction and training for the higher appointments in the Department. The want of forests which have been under systematic management for a sufficient length of time to exhibit the advantage of scientific treatment and afford practical training has postponed and still delays the realization of this intention, but efforts have not been wanting on the part of the Government of India to give effect to it. In 1878, a School of Forestry was established at Dehra Dun, to which a forest circle was attached in order to train students as Rangers, and in the following year a class was formed for the training of Sub-Assistant Conservators. To attract students, the instruction was at first gratuitous and a certain number of scholarships were offered. Subordinate officers of the Department are still allowed to retain their salaries while undergoing a course of instruction. Difficulty was nevertheless experienced in finding candidates suitable for instruction. The Sub-Assistant Conservator class was therefore abandoned and a class was formed for the training of Foresters in which instruction is given in the Urdu language. The Commission is, however, informed that the standard of education at this school for the Ranger class is now almost as high as that formerly fixed for the Sub-Assistant Conservator class. The popularity of the Forest School appears to be increasing as the advantages of scientific instruction in Forestry are being more largely recognized. Of the more distant Provinces, Burma, Madras, and Eastern Bengal have sent students to the school. The Mysore State has also availed itself of the facilities offered for training its staff, and at a recent examination three graduates in Arts from that State secured the highest places. The Commission is further informed that some students now seek admission to the school without salary or allowances. The fact that no students have presented themselves from the Bombay Presidency is explained by the maintenance of a class for the study of Forestry at the Poona College of Science.

The Sub-Committee obtained evidence as to the feasibility of improving the

staff and appliances of the Dehra Dun School so as to enable it to afford the more advanced instruction requisite to qualify students for the superior grades, and as to the cost at which this might be effected. The difficulties suggested are the want of forests to illustrate the whole system of scientific Forestry, the absence of the various engineering and other appliances with which thoroughly trained Forest Officers must be familiar, and the inexpediency of training students intended for superior and subordinate posts at the same establishment. A further objection to such an arrangement is the large expenditure which it would entail. It may be admitted that these considerations would render a proposal for the establishment of a thoroughly organized institution capable of giving a complete training in Forestry premature. On the other hand, it has been shown that officers locally recruited have acquitted themselves fairly when holding charge of superior offices. When the direction and supervision are in the hands of a thoroughly trained staff, the Commission apprehends that much useful work might be performed by officers with somewhat inferior technical knowledge. It has also been proposed at a conference of Forest Officers that higher inducements should be offered in the shape of salary to attract men of better education to the locally recruited service.

The Commission, therefore, recommends that the staff be divided into an Imperial Branch and Provincial Branches, and that, as in the Imperial Civil Service, the Imperial Branch of the Forest Service should be a *corps d'élite*, limited to the number of officers necessary to fill the superior controlling appointments and such a proportion of the Assistant Conservators' posts as will ensure a complete training for the junior officers; that the Imperial Branch should be recruited in England; that the conditions of service as to leave and pension should be assimilated to those of the Imperial Branch of the Public Works Department; and that the present rule regarding marriage should be modified inasmuch as it might operate to debar Native candidates from competing for appointments in England.

The Commission also recommends that the Government should keep in view the policy of training in India men qualified to take charge of the higher administrative appointments so as to avoid as far as possible the necessity for expanding the Imperial Branch of the service. It suggests no change in the rules at present prescribed by the Forest Code for the admission of candidates in India, which provide a system of recruitment for the Provincial Branches of the Department suitable to existing circumstances.

GEOLOGICAL SURVEY DEPARTMENT.

(*Appendix O. 6.*)

102. Existing organization.—The sanctioned staff of the Geological Survey comprises seventeen gazetted appointments, *viz.*, the Director, three Superintendents, one senior Deputy Superintendent, five Deputy Superintendents, six Assistant Superintendents and one Palæontologist. There are at present four vacancies in the grade of Assistant Superintendent, of which one is kept open to provide the pay of two Native Sub-Assistants, and another to defray the cost of Palæontological work. The appointment of Palæontologist has only been filled up in the present year (1887).

There are five subordinate non-gazetted appointments, *viz.*, an Artist, a Registrar who is the Secretary and Librarian of the Department, two Sub-Assistant Surveyors, and one Museum Assistant. A gentleman who was

obliged to resign his appointment in the Department owing to ill-health, and who on his return to Europe received the appointment of Professor of Palæontology in the University of Prague, is at present specially employed to report on the fossils in the Salt Range which were discovered by him when he was in the service.

Of the higher appointments, thirteen are held by Europeans not domiciled in India; one appointment in the 2nd grade of Deputy Superintendents is held by a Hindu; two of the vacant appointments in the Assistant Superintendent grade have, it is understood, been promised to Hindu gentlemen, of whom one has for several years studied in Europe and the other has recently gone to England for further scientific education. The appointment of Artist was held by a European, but is now vacant; that of Registrar is held by a non-domiciled European, and that of Museum Assistant by a Eurasian; while the two Sub-Assistant Surveyors are Sikhs, Natives of the Punjab, who have been appointed to the Department as an experiment.

103. Views and recommendations of the Commission.—From the correspondence summarized in the Appendix the Commission is satisfied that the Government of India has done all that it would be justified in doing to secure the employment of Natives of India in this Department. So long as no adequate provision is made for the teaching of Geology and the allied sciences at Indian Colleges, it appears to the Commission that appointments to the higher grades of the Department must ordinarily be made by the Secretary of State without respect to the nationality of the candidates, but if a Sub-Assistant should give proof of capacity for independent work, the Commission would advocate his promotion to the superior grades. At the same time it is open to doubt whether the organization of a Department for Geological Survey is expedient to any greater extent than is required to secure systematic investigation. It appears to the Commission that grades are unsuitable for a service in which the work to be performed calls for the highest efficiency in an equal degree throughout the whole term of employment. The Commission approves of and would continue the engagement of specialists for a limited term of years, a system of which experience has already demonstrated the advantage. Lastly, it cannot recommend the recruitment of Sub-Assistants in greater numbers than are required for the purposes of the Department, *i.e.*, to assist the more qualified Surveyors.

JAIL DEPARTMENT.

(*Appendix O. 7.*)

104. Existing organization.—

MADRAS.

The Inspector General of Jails is an Uncovenanted civilian. The six Central Jails are in charge of non-domiciled Europeans, who are not Medical officers. The order of the Secretary of State prohibiting the appointment of Europeans to offices carrying a salary of R200 a month and upwards has been relaxed so far as to allow of transfers of eligible officers from the Police to the Jail Department. Four of the Superintendents of Central Jails have been so transferred since the date of the order (1879), and one of them after only two years' service in the Police.

The Superintendent of the Penitentiary at Madras is an Uncovenanted

officer, a non-domiciled European. Two District Jails are in charge of Uncovenanted Superintendents—one a domiciled European, the other a Eurasian, —and the remaining District Jails are in charge of local Medical officers. Of fourteen Jailors, three are domiciled Europeans, ten are Eurasians, and one is a Parsi.

Bombay.

In this Presidency a mixed system prevails. The Inspector General combines other functions with those of the head of the Jail Department. The Superintendent of the Central and District Jails at Yerauda is a European officer of the Bombay Medical Service. The House of Correction, the Common Jail at the Presidency and four District Jails are in charge of Uncovenanted civilians, of whom one is a domiciled European and the others are non-domiciled Europeans. All other District Jails are in charge of the local Medical officers.

There are altogether forty-six appointments carrying salaries of R100 a month and upwards in the Bombay Jail Department, which are distributed among twenty-one non-domiciled and six domiciled Europeans, five Eurasians, and thirteen Natives of India. Two of these appointments are at present held by one officer.

Bengal.

The Jail establishment was reorganized in 1878. The present Inspector General, who is also Inspector of Civil Hospitals and Dispensaries, is an officer of the Bengal Medical Service and a non-domiciled European. The Personal Assistant to the Inspector General, the Superintendent of Jail Manufactures, seven Superintendents of Central Jails, three Assistant Superintendents, three Deputy Superintendents, five officers filling miscellaneous appointments connected with manufactures, and four Warders are Europeans,—twenty-one non-domiciled and three domiciled. Officers are recruited for Assistant Superintendentships by selection from the Assistant Superintendents of the Bengal Police and undergo a course of training in jail management to qualify them for the office of Superintendent.

District Jails in Bengal are placed in the executive and medical charge of the local Civil Medical officers. Of thirty-seven Medical Superintendents of District Jails, ten are Natives of Bengal.

There is a graded service of Jailors and Deputy and Assistant Jailors. Among the Jailors, who are classified in grades, there are three non-domiciled Europeans, one domiciled European, and one Eurasian. The remaining Jailorships, forty-one in number, are filled by Natives.

North-Western Provinces and Oudh.

The Inspector General is a Colonel of the Bengal Staff Corps, and was transferred from the Police Department in which he had served for many years and risen to the grade of Deputy Inspector General. The Superintendents of Central Jails are Commissioned officers of the Bengal Medical Service, with one exception,—an Uncovenanted Medical officer. These officers have no other duties. District Jails, as in Bengal, are in charge of the Civil Surgeon or other Medical officer of the station. At each Central Jail three of the subordinate staff are Europeans, domiciled or non-domiciled. They are generally Non-Commissioned officers and soldiers. The Matron is usually the wife of one of these officers. All other subordinate appointments in the Department, except that of one mechanic whose duty it is to superintend steam machinery at Agra, are held by Natives.

PUNJAB.

There are only seven appointments carrying salaries of more than ₹100 a month which are held by officers whose whole time is given to jail work. Three of these—the Inspector Generalship and the Superintendentships of two Central Jails—are held by Medical officers, non-domiciled Europeans, and four—*viz.*, two Deputy Superintendentships and two Jailorships—by Uncovenanted civilians, of whom one is a Eurasian and three are Natives. District Jails, as in other Provinces of the Bengal Presidency, are in charge of Civil Medical officers of whom four are Hindus.

CENTRAL PROVINCES.

Two non-domiciled Europeans—the Inspector General, a Military officer, who is also Superintendent of a Central Jail, and the Superintendent of another Central Jail—three domiciled Europeans and six Eurasians are employed in this Department. No Native receives a salary of ₹100 a month.

ASSAM AND BERAR.

The appointment of Inspector General of Jails in Assam is combined with several other offices, and the charges of District Jails, where they are paid appointments, are held by the Civil Medical officers—three in number—in addition to their other duties. They are non-domiciled Europeans.

A similar system obtains in Berar, and the only two Jailorships are filled by domiciled Europeans.

105. Views and recommendations of the Commission.—The Commission considers that the figures in the foregoing paragraphs lead to the conclusion that when Superintendents of Jails, Central or District, are not Medical officers, more opportunity might properly be given to Natives of India to show their fitness for these appointments from which they are at present practically excluded. The Commission does not feel competent to prescribe rules for accomplishing this purpose, nor does it wish to fetter the hands of the authorities answerable for jail administration in selecting the agency best suited for that object; but in view of the facts before it in evidence that in some Provinces a really superior class of men are being obtained as Jailors, that a Native has proved successful as Deputy Superintendent, and that Native Medical officers are *ex-officio* Superintendents of District Jails in many places, the Commission is not prepared to recommend in this Department a principle of exclusion of which it advocates the abandonment in most other branches of the Civil administration.

The Commission is also of opinion that the qualifying service for the important position of Superintendent of a Central Jail should be such as will ensure a thorough preliminary training, and accordingly recommends that no person should be appointed to that office who has not served three years in the Jail Department, or in the superior grades of the Police Department, or in both combined.

METEOROLOGICAL SURVEY DEPARTMENT.

(*Appendix O. 8.*)

106. Existing organization.—The Meteorological Department possesses a staff of six gazetted officers. The Meteorological Reporter to the Government of India and the Assistant Meteorological Reporter to the Government of India are attached to the central office; four Meteorological Reporters are stationed

respectively at Calcutta, Madras, Bombay and Allahabad. The officers stationed at Calcutta and Allahabad are not expected to devote their whole time to the Department; these appointments are at present held by officers of the Education Department. The Meteorological Reporter at Madras, at present a lady, is expected to devote her whole time to the Department. The Department has not as yet been perfectly organized and rules have not been prescribed regarding the appointing authority; the present Imperial Department was grafted on existing Local Departments: hence it has happened that the appointments at Allahabad and Calcutta are made by the Local Governments, and the appointment at Madras by the Local Government in consultation with the Meteorological Reporter to the Government of India. The Assistant Meteorological Reporter to the Government of India was appointed by the Secretary of State, while Mr. Blanford, who holds the substantive appointment of Reporter to the Government of India, and Mr. Eliot, who is acting for him, were transferred from the Education Department by the Supreme Government. Subordinate to the Reporters are a staff of Observers, of whom two only, the Meteorological Observer at Alipore and the Actinometric Observer at Mussoorie, receive a salary of more than ₹100 a month.

The gazetted appointments are all held by Europeans not domiciled in India. The Observers are supplied by many races, *viz.*, Europeans, Eurasians, Hindus, Mahomedans and Parsis, the great majority of them being Natives of Asiatic descent. With the exception of the Observer at Alipore, a Bengali graduate, and the Actinometric Observer, a European who devotes his whole time to the work, they receive very small salaries, inasmuch as a portion only of their time is devoted to the work of the Department. Some of them are clerks to Civil Surgeons, Telegraph officers, clerks in jails, Overseers in the Public Works Department, &c.

As regards pension and furlough, the officers of the Education Department enjoy the ordinary advantages of the service to which they belong; and where the officers belong to no other service, if they are required to devote their whole time to the Department, it is presumed that they come under the general rules for the Uncovenanted Service.

107. Views and recommendations of the Commission.—In the present state of scientific education in India the Commission is unable to recommend any change in the system of recruitment for this Department. Much meteorological information has been already collected and tabulated, valuable conclusions have been derived from it, and enquiries are being carefully prosecuted which promise further important results.

MINT DEPARTMENT.

(*Appendix O. 9.*)

108. Existing organization.—There are two Mints in India, one at Calcutta and one at Bombay, and each consists of two Departments—the Mechanical Department or Mint proper, and the Assay Department. The Masters of the Mint are officers of the Corps of Royal Engineers.

In the Mechanical Departments, at the present time, eighteen non-domiciled Europeans, six domiciled Europeans, eleven Eurasians and eight Natives are employed on salaries of ₹100 a month and upwards. With the exception of the six Bullion officers (two of whom furnish security), the Engraver at Bombay, the Assistant Engraver at Calcutta, and certain office clerks, no Native

holds an appointment in either Mint of which the salary amounts to R100 a month. The appointments and promotions of all non-gazetted officers in this branch of the Mint are made by the Mint Master. The officers are entitled to the benefit of the leave and pension rules applicable to Uncovenanted servants under the Financial Codes. There is no race disqualification for any of these appointments. But the requisite technical knowledge and mechanical skill are difficult to procure in India, and it has been found necessary to recruit about one-half of the Engineers in England. This fact sufficiently explains the large employment of non-domiciled Europeans in the higher posts in the Mechanical Departments of the Mint.

In the Assay Department of each of the Mints there are only four appointments carrying salaries of R100 a month and upwards, *viz.*, the Assay Master and the Deputy Assay Master who are gazetted officers, the First or Head Assistant and the Second Assistant who are not gazetted. The appointments of Assay Master and Deputy Assay Master are in all cases held by European Commissioned officers, of whom three are members of the Medical Service. The Assistants at each Mint are Europeans domiciled in India. Admission to the gazetted appointments in this branch of the Mint is regulated by the Government of India Notification No. 3570, dated 19th September 1884.

This Notification provides that Commissioned officers only who possess prescribed qualifications acquired by study in England and completed by attendance at the Assay Office Laboratory at Calcutta or Bombay for a certain probationary period shall ordinarily be appointed to the Assay Department. Whenever a want of eligible candidates is foreseen, a selected officer may be permitted to attend at the Laboratory of the Assay Master at Calcutta or Bombay for a period not exceeding six months (during which he draws the full pay of any office he holds and Presidency house-rent) in order to prepare himself for an examination which is framed so as to test his practical familiarity with the ordinary work of an Indian Assay Laboratory and with the duties expected of an Assay officer attached to a Mint, and his knowledge generally of the methods of assaying both gold and silver, and particularly of the method of assaying silver which is peculiar to the Indian Mints. Only an officer who has passed the prescribed local examination may, at the discretion of the Government of India, be employed temporarily for a period which must not exceed twelve months at one time, unless under very special circumstances and with the sanction of the Secretary of State.

The Assistants are appointed by the Assay Master, and the Second Assistant would ordinarily be promoted to the position of Head Assistant on the occurrence of a vacancy.

The Assay Masters and Deputy Assay Masters obtain leave under the furlough rules applicable to Military officers in civil employ, and are entitled to pensions under the rules of the service to which they belong. The provisions of the Civil Leave and Pension Codes applicable to the Uncovenanted Service regulate the furlough and pensions of the non-gazetted officers.

109. Views and recommendations of the Commission.—Representations were made to the Sub-Committee at Bombay regarding the hardship entailed on the Uncovenanted Assistants by the terms of the Notification of the 19th of September 1884, which declares that Commissioned officers alone are eligible for appointment to the gazetted offices, and regarding the unnecessary expense caused by probationary training for temporary appointments when there are in

the Department Assistants qualified to fill the appointment of Assay Master. The Commission, having considered the evidence before it on this point, is of opinion that it would on general grounds be desirable to enlarge the field of selection by the withdrawal of this restriction, it being at the same time left open to the Government to select Commissioned officers if it thought fit to do so. A similar condition is not found necessary to secure for other Departments of the public service officers who must equally possess public confidence. The Commission accordingly recommends that the rule in the Notification No. 3570, dated 19th September 1884, which prescribes that Commissioned officers only shall ordinarily be appointed to gazetted offices in the Assay Department, should be cancelled. It also suggests that further enquiry should be made whether the scheme of training for temporary appointments involves unnecessary expense; and, as a general rule, it would insist that where a scientific education, as distinct from probationary departmental training, is required to qualify officers for service in any Department, the cost of such education should be borne by those who seek employment rather than by the State. In other respects the Commission has no recommendation to make in regard to the Mint Department.

OPIUM DEPARTMENT.

(*Appendix O. 10.*)

110. Existing organization.—The Opium Department in Bengal regulates the cultivation of the poppy and the purchase and manufacture of opium throughout the Lower Provinces and the North-Western Provinces and Oudh, where cultivation of the poppy is forbidden by law except under a Government license and all produce of the plant must be sold to the Government at a fixed price. The operations of the Department are at once minute and widespread. It has paid annually to cultivators as much as one hundred and eighty lakhs of rupees, and the net revenue to the Government from this source has risen to more than eight crores of rupees.

The rank and file of the service, upwards of two thousand in number, are all Natives. In what may be called the Non-Commissioned grades embracing appointments which carry salaries between ₹100 and ₹500 a month, twenty-one in number, other races appear. Two non-domiciled Europeans hold posts, *viz.*, those of Assay Registrar and Saw-Mill Engineer, the special qualifications for which are more readily obtainable in persons of that class. Domiciled Europeans hold three, Eurasians eleven, and Natives five of the remaining nineteen appointments. The appointments in the Commissioned ranks are about seventy-five in number. At the head there are two Opium Agents and two Principal Assistants. The former belong to the Covenanted Civil Service, and the latter are Commissioned officers of the Indian Medical Service, and are at present non-domiciled Europeans. These appointments might be held by qualified Native members of the services mentioned. Among the remaining officers of the higher grades, namely, Sub-Deputy Agents, Assistant Sub-Deputy Agents, Probationers and Head Assistants to Principal Assistants, there are at present forty-seven non-domiciled Europeans, thirteen domiciled Europeans, eight Eurasians and one Mahomedan. Two of these appointments are vacant. The two Opium Agencies are reserved for members of the Covenanted Civil Service by the Statute 24 and 25 Vic., Cap. 54.

The grade of Sub-Deputy Opium Agent is reached by promotion from that of Assistant Sub-Deputy Opium Agent, for which appointments direct recruit-

ment is made. The system of selection formerly in force resulted in these appointments being filled by Europeans and Eurasians in different proportions at different times, and in the exclusion from them of Natives. The question of the employment of Natives as Assistant and Sub-Deputy Agents has been for many years under discussion, and, as the result of the latest consideration given to it, orders were issued in 1884 which directed the Local Government to take steps to arrange for the future admission to the Department of thoroughly qualified Natives in such a manner and under such conditions as to guard the efficiency of the service from being impaired and the revenue from danger. It was ordered that the appointments should be made by nomination after careful selection, and it was suggested that, except among such other sources of supply as the Local Government might desire to utilise, suitable nominees might probably be found among the class from which are selected the Tahsildars and Naib Tahsildars of Northern India and officers occupying analogous positions in the Canal Department. Care was enjoined that only men physically fit for the work required should be nominated, and it was ordered that so long as the matter remained in an experimental stage, only one vacancy out of every four should be filled by Natives. Europeans and Eurasians are admitted to the grade by competitive examination among selected candidates, and one Native, chosen in accordance with the orders above referred to, is appointed to every fourth vacancy.

The conditions of service as to furlough and pension are regulated, for Opium Agents and Principal Assistants, by the rules of the service to which those officers belong, and, for Sub-Deputy Agents and Assistants, by the rules applicable to the Uncovenanted Service.

111. Views and recommendations of the Commission.—The Commission does not advocate the continuance of the experiment of appointing Natives by selection to a proportion of the vacancies, and recommends that the future recruitment for this Department should be subject to the general principles of equality of treatment of all classes of Her Majesty's subjects and of tested preliminary qualifications which have been proposed for the Provincial Service.

The Opium Agents are the heads of the Department in Lower Bengal and in the North-Western Provinces and Oudh. Looking to the magnitude of their charges, to the importance both to the general public and to the agricultural classes of the interests at stake, and to the weight which should attach to a position involving the administration of large patronage, confidential and delicate relations with other Departments of the Government, and competition for land and cultivators with other industries, the Commission considers that the Imperial Service affords the fittest field of selection for filling these appointments and would recommend no change in the law on this point.

The Principal Assistants at the factory are, and must be, specialists, and here also the Commission has no proposals to make.

PILOT SERVICE.

(*Appendix O. 11.*)

112. Existing organization.—

MADRAS.

Pilots are maintained at four ports in the Presidency of Madras At the Port and Harbour of Madras there are two Pilots, a Senior and a

Junior. There are no rules regulating the appointment of Pilots, but the Port Officer at Madras is vested with authority to admit qualified persons to those posts, and to promote the less paid Pilot to the higher paid post in case of a vacancy. The Port Officer is of opinion that the Pilots at Madras should hold Masters' certificates of the Board of Trade. The Pilots are at present non-domiciled Europeans, but a Eurasian formerly held the post of Junior Pilot. The Pilots are placed under the immediate orders of the Assistant Port Officer.

At Pámban the Head Pilot is the Port Officer, a non-domiciled European. The other Pilots, of whom eleven are Mahomedans and two are Natives of India of another creed, hold licenses authorising them to pilot vessels.

The Pilot staff at Keelakarai is also a licensed service, consisting of fifteen Natives, of whom nine are Mahomedans and six are Natives of another creed.

In the case of Pilots both at Pámban and Keelakarai, candidates are required to pass an examination to prove their local and technical knowledge.

There are two Pilots at the port of Cochin who are appointed by the Port Officer of Madras. The Senior Pilot is a Eurasian, the Junior Pilot is a Mahomedan.

At present no Pilot at any port in this Presidency receives a pension; but when a Senior Pilot became incapable after a service of sixteen years, a gratuity was granted to him.

Bombay.

The control of the Bombay Pilot Service is, subject to certain restrictions, vested in the Trustees of the Port of Bombay by the Bombay Port Trust Act, 1879, Section 72. The authorised strength of the staff is eighteen, *viz.*, three Harbour Masters, five 1st grade Pilots, five 2nd grade Pilots, and five 3rd grade Pilots. The Secretary to the Port Trust states that, with the exception of two appointments vacant in the 3rd grade, all the appointments are held by Europeans domiciled in India; but the evidence throws some doubt on the correctness of this classification. The Port Officer is authorised to appoint, subject to the approval of the Trustees, so many probationers, not exceeding four, as may from time to time be considered necessary. A probationer is required to undergo an examination by a Marine Board as to his ability to perform the duties of a Pilot, and, if he fails to pass this examination within six months after the date of his appointment, is liable to have his name removed from the list. After passing the examination a probationer is eligible for appointment as a 3rd grade Pilot when a vacancy occurs.

The members of the service are remunerated by a percentage of the receipts for pilotage. They are entitled to leave under special rules, and in lieu of pension are permitted to subscribe to a Provident Fund to which contributions are made by the Port Trustees.

The control of the Pilot Service at the port of Karachi is, subject to certain restrictions, vested in the Trustees of the Port Trust by the Karachi Port Trust Act, 1886, Section 55. It is divided into four grades. As at present constituted, the staff consists of four officers, one in each grade, all of whom are non-domiciled Europeans. No rules have been framed to regulate admission to the service, but in practice a candidate must have obtained a first or second Mate's certificate from the Board of Trade, and must produce certificates of good conduct and sobriety from Masters of vessels in which he has served. He is appointed on probation for three months. At the end of three months he is required to pass an examination as to his qualifications to perform the duties of a Pilot, and

on passing it he is confirmed in his appointment and graded in the 3rd class. Pilots who entered the service prior to the 1st April 1875 enjoy the benefit of the Leave and Pension Rules applicable to the Uncovenanted Service. Pilots appointed since that date may claim furlough to the same extent as is allowed to members of the Uncovenanted Service, but they have no claim to pension. In lieu of this provision they are permitted to subscribe to a Provident Fund to which the Port Trustees make a contribution.

Bengal.

The superintendence of the staff of Pilots on the Hughli is committed to the Port Officer at Calcutta, who, in addition to the duties entailed on him by this charge, is the head of the Marine Department of the Government of Bengal and *ex-officio* Shipping Master. The office is at present held by a non-domiciled European, an officer of the Indian Marine, from which service future vacancies in the appointment will be supplied. As Shipping Master, he is assisted by two gazetted officers—the Deputy Shipping Master and an Assistant Shipping Master. The office of Deputy Shipping Master is now held by a non-domiciled European, and that of Assistant Shipping Master by a domiciled European. The Deputy and Assistant Shipping Masters have no direct duties in connection with the Pilot Service. With the exception of the Port Officer, the only gazetted officers who are connected with this service are the Medical officer at the Sandheads, a domiciled European, and the Commander of the *Undaunted*, a non-domiciled European officer of the local Marine, whose ship is chiefly employed as a supply vessel to the pilot brigs.

The Bengal Pilot Service, as at present constituted, comprises three grades of Pilots and one of Leadsmen. In July 1887 there were eighty-six graded officers, of whom twenty obtained licenses under a system which has been for some time discontinued. It appears from the return furnished by the Port Officer that, with the exception of one Master Pilot, a Eurasian, and one Leadsman, a domiciled European, the other officers of the Pilot Service are non-domiciled Europeans; but it is stated that six of the Leadsmen were born in India, though five of these six were educated in England.

Appointments to the service are made—

(*a*) in England, by the Secretary of State, of boys recommended by the Committees of the training ships *Conway* and *Worcester*;

(*b*) in India, by the Government of Bengal, of the sons of domiciled Europeans and Eurasians, who have served at sea for a period of two years as seamen or apprentices on a merchant sailing ship of not less than 300 tons register.

Members of the Pilot Service, appointed under the present rules, are not entitled to any salary when on pilotage duty, but receive as their remuneration 50 per cent. of the pilotage dues paid by the ships piloted by them. They receive salaries when employed on other duties. Three of the Branch Pilots are employed as Commanders of the pilot brigs on fixed salaries, and five Senior Masters and two Mates, termed Special Pilots, receive fixed salaries from certain Mail lines which have been permitted to engage their services.

Special rules regulate the grant of pension, leave and furlough to officers of the Bengal Pilot Service. Members of the service are required to subscribe to a fund to provide pensions for their widows and children.

Licenses are issued to Natives authorising them to pilot Native ships

not exceeding 500 tons between Calcutta and Kedgeree, and to charge pilotage fees at prescribed rates. In the present year (1887) only three Native Pilots have taken out or renewed their licenses.

There is a Port Officer at Chittagong, who is a non-domiciled European and a member of the Indian Marine. There is also a Pilot Service paid partly by fees and partly by a percentage on earnings, which consists of five Pilots and two Apprentices. Of the five Pilots, one is a Eurasian and four are Mahomedans as are also the two Apprentices. The Eurasian and the Senior Mahomedan Pilot alone receive more than ₹100 a month.

At the Orissa ports there are two Port Officers, one the Port Officer of False Point and Pooree, who is also Customs Collector, and the other the Port Officer of Chandbally and Balasore. Both of these officers are Europeans. There are two Native Pilots at Chandbally who receive fixed salaries of less than ₹100 a month.

113. Views and recommendations of the Commission.—The evidence laid before the Commission, which includes the opinions of two gentlemen representing the Chamber of Commerce at Calcutta, shows that the navigation of the Hughli presents exceptional difficulties, that a thorough training as a seaman and experience in handling ships are essential for the efficiency of a Pilot, and that the officers recruited for the Bengal Pilot Service under the present rules are not surpassed by the members of any similar service in private character or professional attainments. It is stated that no educated Natives and but few domiciled Europeans and Eurasians follow navigation as a profession.

On the other hand, representatives of the Eurasian and Anglo-Indian Association complain of the rule which requires that a candidate for appointment in India to the Bengal Pilot Service should have served for two years in a sailing vessel of a prescribed tonnage employed in foreign trade, inasmuch as it is difficult to find ships on which apprentices are received at the port of Calcutta. It was suggested that lads should, on passing the educational tests prescribed, be appointed apprentice leadsmen and trained in the pilot-brigs or in a special training ship.

It appears that the Masters of vessels belonging to Messrs. Brocklebank and Messrs. Furney of Liverpool are authorized to take apprentices at the port of Calcutta, and the Port Officer of Madras stated that at that port he had placed two young men as apprentices in ships belonging to Messrs. J. Allen's line. Captain Hext, R.N., Director of the Indian Marine, confirmed the opinions expressed by witnesses examined in Calcutta as to the peculiar danger and difficulty of the navigation of the Hughli, the excellence of the Pilot Service, and the propriety of the conditions which require candidates to undergo a course of instruction in a training ship in England or to serve for two years on a sea-going ship. He considered that the Indian Marine could not provide a ship suitable for training youths in navigation and the handling of sailing ships, as the ships belonging to that service are either steamers or vessels which are employed on very short trips. He stated that he had on one occasion tried the experiment of fitting out a sailing ship and sending it on a cruise to train young officers of the Indian Marine, and from the experience thus acquired, he considered that the expense of providing an opportunity for the training of so small a number of recruits as are required for the Bengal Pilot Service would be incommensurate with the advantage to be gained.

Similar considerations of expense appear to render impracticable the establishment on a pilot brig of a training class with proper instructors, while it is doubtful whether any such brig has more accommodation than is required for the crew and the officers of the Pilot Service.

In view of the risk to life and property which must result if this service is not maintained in the highest degree of efficiency, and of the large contributions levied from shipowners for the support of the service in the shape of fees, the Commission considers that the Government is bound to maintain such rules as are deemed by professional experts necessary to secure thoroughly efficient Pilots. Moreover, there is no evidence before the Commission to show that the youths born and educated in India, who exhibit a desire to adopt a seafaring life as a profession and are physically fit for such a life, are sufficiently numerous to justify a recommendation that the State should establish a special school for their instruction.

The Commission has no recommendations to offer respecting the Pilot Services of Madras and Bombay. So far as these services are under the direct control of the Government, it appears that fitness is the only qualification imposed, and that where it is possible to do so recourse is had to Native agency. Where the services are managed by Port Trustees, the competition of commerce ensures that the rules respecting recruitment will be framed with a due regard to economy in so far as it is compatible with efficiency, and that Europeans will not be employed if Statutory Natives with sufficient qualifications offer themselves for employment at cheaper rates.

POSTAL DEPARTMENT.

(*Appendix O. 12.*)

114. Existing organization.—The appointment of Director General has always been conferred on a member of the Covenanted Civil Service. The appointment of Deputy Director General is conferred alternately on a Covenanted Civilian and an Uncovenanted officer of the Department. The present incumbent is a Covenanted Civilian, but an Uncovenanted officer, a domiciled European, is officiating in the appointment. The appointments of Assistant Directors General, three in number, are at present held by non-domiciled Europeans.

For the direct administration of Postal establishments and mail lines beyond the Presidency Towns (other than those appertaining to the Railway Mail Service) India is divided into fourteen Circles, of which five—Bengal, Madras, Bombay, the North-West Provinces, and the Punjab—are placed under the charge of Postmasters General; and nine, *viz.*, the Central Provinces, Burma, Assam, Sind with Beluchistan, Rajputana, Central India, Oudh, Behar, and Eastern Bengal, are placed under the charge of Deputy Postmasters General. With the exception that the areas of their charges are smaller, the duties of Deputy Postmasters General differ in no respect from those of Postmasters General, and they enjoy substantially the same powers. Postmasters General are appointed by the Government of India. The Director General states that "Postmaster Generalships ordinarily belong to the Covenanted

Civil Service," but he adds that "one of the five appointments has until lately always been bestowed on an Uncovenanted Postal officer," and that "since the year 1881, a Native by race and blood has been employed in another Postmaster Generalship." No appointments in this Department other than those of Director General, Deputy Director General and Postmaster General are conferred on members of the Covenanted Civil Service. A Parsi who is a Covenanted Civilian of seven years' standing has been recently appointed Postmaster General in the North-West Provinces Circle. Objection has been taken to this appointment by an independent Native witness as well as by officers of the Department. It is claimed that the six appointments next to that of Director General or at least three of them should be reserved as prizes for the Postal Service.

Deputy Postmasters General are appointed by the Director General by selection from among the most qualified officers of the Department. The substantive appointments are at present held by Europeans, of whom three are domiciled in India. A Native officer is now officiating in one of the largest Circles in charge of officers of this class. Natives have on several occasions declined these appointments because of their unwillingness to serve beyond the limits of their own Provinces.

There are three chief appointments in the Accounts Branch of the Post Office. The office of Comptroller is at present held by a non-domiciled European. The Deputy Comptroller is a Hindu, and the Assistant Comptroller is a non-domiciled European. No European who is not a Statutory Native is employed in subordinate posts in this branch of the Department. Of the three Presidency Postmasters, two are domiciled Europeans and the third is a Eurasian.

At the date when the return was prepared there were eighteen Superintendents of the 1st grade, of whom four were non-domiciled Europeans, ten were domiciled Europeans, two were Eurasians, one was a Hindu, and one was a Parsi. There were twenty-eight Superintendents of the 2nd grade, of whom nine were non-domiciled Europeans, seven were domiciled Europeans, three were Eurasians, six were Hindus, and three were Parsis. Of thirty-one Superintendents of the 3rd grade, three were non-domiciled Europeans, sixteen were domiciled Europeans, one was a Eurasian, nine were Hindus, one was a Mahomedan, and one was a Parsi. Of forty-three Superintendents in the 4th grade, six were non-domiciled Europeans, twenty-one were domiciled Europeans, two were Eurasians, twelve were Hindus, one was a Mahomedan, and one was a Native Christian.

It was for some years the practice to bring into the Department young men to recruit the Superintendent's grade after they had undergone a certain probation, and if the service were, as has been suggested, organized in two divisions—a higher and a lower service—it has been proposed that the line should be drawn so as to include in the higher service Superintendents and some of the higher grade Postmasterships. The orders of 1879 requiring the special sanction of the Government of India to the appointment of a person other than a Statutory Native to any post carrying a monthly salary of ₹200 and upwards apply to the Postal Department, with the exception of certain appointments, namely, those in the Sea Postal Service, the Postmastership at Aden, and six Superintendentships. In circulating these orders the then Director General intimated that the prohibition of the appointment of Europeans to offices

carrying salaries of ₹200 a month and upwards made it obviously inexpedient, except under special circumstances, to appoint Europeans to the inferior grades with prospects so limited. Since that date appointments in the Department have been practically limited to Natives, and only in a few instances has the appointment of a European been sanctioned. Under a rule issued in 1875 no person may, without the special sanction of the Director General, be appointed an Inspector who is not a Native of India of Asiatic race. The Postmaster General of Bengal reports that this sanction has not been given except to an appointment in a tea-planting district.

Of fifty-nine Inspectors on ₹100 a month and upwards, three are domiciled Europeans, eight are Eurasians, and forty-seven are Natives. One of these appointments is vacant. There are a large number of Inspectors whose salaries do not amount to ₹100 a month.

Mail officers in the Sea Postal Service are graded with Superintendents. Seven officers in this branch are Europeans, and two of these seven are domiciled in India.

Of five hundred and twenty-two appointments of Postmasters, Deputy Postmasters, Superintendents of offices and the like carrying salaries of ₹100 a month and upwards, only forty-six are held by non-domiciled Europeans, one hundred and twenty-six are held by domiciled Europeans, eighty-six by Eurasians, and two hundred and sixty-four by Natives, while the offices carrying salaries below ₹100 a month are almost entirely filled by Natives. The number of persons employed in the Department amounts to nearly forty thousand. It may be mentioned that the Postmasters of many of the smaller offices receive salaries of less than ₹20 a month. The duties are not unfrequently undertaken by schoolmasters, shopkeepers and other persons whose whole time is not occupied in postal work.

Appointments are generally made to the lowest grades, and promotion is regulated in part by seniority and in part by the qualifications which an officer shows himself to possess for special or supervisional work. Europeans and Eurasians being unable to maintain themselves on the small salaries attached to the lowest grades of the service receive their first appointments to posts more highly paid than those usually given to Natives. The latter complain that Europeans and Eurasians thus arrive sooner at the Superintendents' grade, and are naturally more energetic than Natives who have spent many years in the lower grades: they also complain that the practice of appointing Natives in the first instance only to the lowest grades operates to debar Natives of good education from seeking service in the Department.

Promotion is not made from a general list, but a separate list is maintained for each important Circle, while the minor Circles are treated as one Circle styled the India Circle for purposes of promotion. This system appears to be preferred by the majority of the Native officers, as it avoids the necessity for frequent transfers to which they are more averse than Europeans or Eurasians and which cause them greater inconvenience. It has the advantage that the head of the Circle is in a better position to judge of the relative merits of the officers of his Circle than the Director General can be to judge of the relative merits of officers whose work does not come directly under his notice. On the other hand, the rate of promotion from time to time varies in different Circles, and the course of promotion is disturbed if transfers are made from one Circle

to another; but the Director General states that the Postmasters of minor Post Offices are never and the Postmasters of more important offices are seldom transferred, and that transfers are becoming more and more rare in the case of Superintendents. Officers of the Bombay Circle complain of the effect of the rule which grades Mail Officers with the Superintendents of that Circle, inasmuch as the transfer of Mail Officers to appointments on shore interferes with the promotion of officers in the ordinary line. While admitting that it would be unreasonable to require Mail Officers to remain at sea for the whole of their service, they urge that these officers should either be promoted into the Railway Mail Service with which their duties are analogous, or that when promoted they should receive appointments in each of the Postal Circles in rotation.

115. Views and recommendations of the Commission.—The Commission desires to call attention to the marked efficiency of the Postal Department, to the important advantages which it has secured to the public, and to the fact that in this Department opportunities have been afforded to Natives to show their fitness for supervisional offices and for posts of the highest responsibility. It would also observe that the charges of partiality in the distribution of appointments which were brought forward by two or three witnesses, and principally by witnesses unconnected with the Department, are unfounded, and that they were probably made under a misapprehension of the rules which regulate promotion to the higher appointments.

The constantly increasing importance of the duties confided to the superior staff calls for higher educational qualifications and greater physical energy than are necessary for efficient service in the lower posts, and in order to enable educated Natives to compete on equal terms with Europeans and Eurasians for the posts which require the qualities above mentioned, the Commission recommends that a certain number of appointments carrying monthly salaries of from ₹80 to ₹100 should be filled by competition. The successful candidates might be admitted on probation and be trained in Head Offices, after which they could be employed as Inspectors and, if found qualified, selected for the grades of Superintendent.

The complaint in the Bombay Circle respecting the grading of officers of the Mail Service with the Superintendents of that Circle appears to the Commission well founded and to call for remedy: but the Director General would doubtless be able to suggest by what arrangements this ground of complaint may be removed.

The Commission fully appreciates the advantages which have resulted to the Department from the employment of members of the Covenanted Civil Service in the posts of Deputy Director General and Postmaster General, but it also recognizes the force of the arguments by which the appointment of experienced officers of the Department to these posts is supported. The success which has attended the appointment of officers of both classes in the past suggests the employment of both classes in the future. The Commission therefore recommends that of the seven highest appointments in the Department at present filled by Covenanted Civilians, not less than three should ordinarily be filled by promotion within the Department.

It may be pointed out that the instructions restricting the employment of Europeans and Eurasians, which were issued in consequence of the order of the Government of India of 1879, appear to go beyond the intention of that order

and are inconsistent with the principles on which the recommendations of the Commission are based.

POLICE DEPARTMENT.

(*Appendix O. 13.*)

116. Existing organization.—The organization of the Police in the several Presidencies and Provinces was the result of a comprehensive enquiry into the whole subject made in 1860 by a Committee whose recommendations, so far as approved, were embodied in Acts of the Legislature. It is sufficient here to say that the Police is a highly organized force with a semi-military training under its own officers, subject to a general control by the Magistracy and the Local Governments, and that it is charged with the maintenance of law and order and the detection of crime throughout the Empire. With slight local variations its head officers are Inspectors General, who are assisted by two or more Deputies, District Superintendents and Assistant District Superintendents. The constitution of the force established in 1861 contemplated a European officer being placed at the head of the Police in each district, with an Assistant where necessary, and this practice has with few exceptions been maintained to the present day.

In the Provinces to which the enquiries of the Commission extend there are in round numbers three hundred and seventy officers in the superior grades of the force, including a grade of Assistant District Superintendent which is reserved in some Provinces as a final stage of advancement for deserving men of the Non-Commissioned ranks. Of these three hundred and seventy officers, three hundred and fifteen are non-domiciled Europeans, thirty-three are domiciled Europeans, five are Eurasians, and seventeen are Natives.

For some years after its constitution the higher grades of the force were largely recruited from the Commissioned ranks of the army, which afforded a good field for the selection of officers in consequence of the mutiny of the Bengal troops. This source of supply became gradually exhausted and is at present practically closed, as the military authorities are opposed to parting with their officers for such employment. The civil character of the force, at least in some Provinces, has also been brought into greater prominence, and the conditions of service in respect of pay and promotion have been so altered as to render it unattractive to officers of the army. Recruitment, therefore, from other sources than the army for the grade of Assistant District Superintendent, through which alone admission is obtained to the higher ranks, has become the rule of the service. In most Provinces the recruitment of these officers is made by nomination pure and simple, although in one or two Provinces certain linguistic tests have lately been insisted on for nominees or for selected candidates among whom a competitive examination is held.

117. Views and recommendations of the Commission.—The evidence before the Commission shows that recruitment by nomination has not produced satisfactory results. There has been great inequality in the efficiency of the persons nominated. Some have turned out excellent officers, others on the contrary have taken years to become fairly efficient and in some extreme cases have never become efficient at all. The system naturally supplies youths who have failed to succeed in examinations held in England, and who come to India

in the hope of securing a nomination to the Police by influence brought to bear on the nominating authority. Appointments so made cannot as a rule give satisfaction, though, as might be expected, the system occasionally supplies men who develop special aptitude for their duties. In some Provinces, notably the Lower Provinces of Bengal, it was pressed on the Commission that there is an ample supply of material for good Police officers in the boys annually turned out by the local educational institutions for Europeans and Eurasians, especially the Hill Schools, while in other Provinces the evidence of the most experienced witnesses seemed to show that such a supply is not forthcoming, and that recruitment in England can alone be expected to yield the class of officers required.

The question of the larger employment of Natives in the higher grades of the Police Department is one on which the Sub-Committee sought and recorded very full information. The Commission approached this subject with the sense that the maintenance of law and order and of security for person and property is one of the most important duties of the British Government in India, and that with this primary duty no *à priori* considerations in favour of the admission of all classes to equal chances of employment in the public service should be allowed to interfere. While fully sensible of the advantage of securing for the Department the highest detective ability procurable, the Commission felt compelled not to lose sight of the other duty not less incumbent on a good Police officer, namely, the maintenance of the public peace among populations liable to be set at variance by dissensions arising out of race and religion in addition to the usual elements of disorder. The Government of India and some Local Governments have shown no indisposition to employ Natives of India in the higher grades of the Police, but such experiments have been made cautiously and have not been uniformly successful. The absence of European officers was one of the causes, if not the main cause, of the abuses with which the Police prior to the organization of 1860 was universally charged, and although the present condition of the force is still far from all that could be wished, yet it is on the whole greatly superior to that which preceded it, and no step can be recommended in the direction of a return to the former state of things.

The Commission has therefore resolved to leave this question in the hands of the Government of India as the only authority capable of judging how far the principles adopted for the larger employment of Natives in other branches of the public service can be safely extended to the Police. At the same time, the Commission would express its opinion that, although for many years to come the European element in the higher ranks of the Police should predominate, Natives of India ought not to be excluded from those ranks as is now the case in some Provinces, but that endeavours should be made to introduce a reasonable proportion of Native officers, due regard being always had to the efficiency of the service.

Lastly, the Commission desires to place clearly on record its unanimous opinion that many of the abuses which now characterise the force are due to the inadequate remuneration of the lower grades; and that whatever improvement may be made in the conditions of service of the other ranks, full advantage will not result from it so long as the officer in charge of a Police Station, by whatever name he may be called, does not receive remuneration and prospects adequate to induce and enable him to withstand the temptations to which his

situation exposes him. He is the officer answerable for the peace and for the detection of crime and apprehension of offenders in the area which forms the unit of police administration, and on him rests the turn to be given to all enquiries into offences. These officers, moreover, being intimately acquainted with the details of the working of police administration, are the proper recruiting ground for Inspectors, and any improvement in their condition necessarily involves an increase of efficiency in the higher Non-Commissioned grades.

Holding these views, the Commission makes the following recommendations:—

(1) That the present system of recruitment for the grade of Assistant District Superintendent in most Provinces is unsatisfactory, as not affording a sufficient guarantee for educational qualifications and habits of industry, and that admission to this grade should be by—

(*a*) limited competition amongst candidates selected in England for such portion of the appointments in each Province as the Government of India may decide to be necessary;

(*b*) limited competition amongst candidates selected in India, such candidates being carefully chosen on grounds of good physique, the knowledge of the vernacular languages prescribed for the Provincial Service, and high educational qualifications of an English kind.

(*c*) promotion from the grade of Inspectors for exceptional merit and ability shown in active service.

(2) That both of the competitive examinations, referred to in the foregoing recommendation, should be conducted in accordance with rules approved by the Government of India; and

(3) That appointments to Inspectorships should, as a rule, be made from the lower grades of the force, and that in no case should outsiders be appointed to Inspectorships merely as a training ground for the higher offices.

PUBLIC WORKS DEPARTMENT.

(*Appendix O. 14.*)

118. Existing organization.—The work of the Department is divided between the following branches:—(1) A General Branch, (2) State Railways, and (3) Accounts. The General Branch again is sub-divided into two branches, (*a*) the Roads and Buildings Branch, in which in Bombay and Madras Military Works are included, and (*b*) the Irrigation Branch.

The officers of the Department are classified as belonging to the Secretariat and to the Engineering, the Accounts, and the State Railway Revenue Establishments. Nine officers are employed in the Secretariat Offices of the Government of India and of Local Governments who are charged with duties not purely clerical. Seven of these officers are Europeans not domiciled in India, one is a domiciled European and one is a Hindu.

The Engineering Establishment consists of (1) Engineers, (2) Upper Subordinates, (3) Lower Subordinates. The last named draw salaries less than R100 a month. Engineers are classified as (*a*) Assistant Engineers in three grades; (*b*) Executive Engineers in four grades; (*c*) Superintending Engineers in three classes; (*d*) Chief Engineers in three classes. The present Establish-

ment of Engineers is one thousand and fifteen in number, and consists of the following classes of officers :—

Royal Engineers	191
Other Military Officers	22
Civil Engineers appointed in Europe	473
„ „ „ in India	329
	1,015

The Military Works Branch in Bengal is not under the Public Works Department as in Madras and Bombay, but is officered from the Public Works Department Engineer Establishment and absorbs seventy-six officers, all Royal Engineers or other Military officers.

The races represented in the Superior Engineer Establishment are as follows :—

Europeans not domiciled in India	810
Europeans domiciled in India, including Eurasians	119
Natives	86
	1,015

The information available does not enable the Commission to distinguish between Europeans domiciled in India on the one hand and Eurasians on the other hand. Of the eighty-six Natives, eighty are Hindus, two are Mahomedans and four are Parsis.

The Engineers form a close service, and admissions to it are obtained only from the Corps of Royal Engineers on the Indian Establishments, or from passed students of the Royal Indian Engineering College at Cooper's Hill, or of the Indian Engineering Colleges. The present annual recruitment is fixed at thirty, representing an ultimate strength of eight hundred officers, and is distributed under the orders of the Secretary of State as follows :—

Royal Engineer Subalterns	6
Royal Indian Engineering College, Cooper's Hill	15
Thomason College, Rurki (North-Western Provinces)	4 & 5 alternately.
Seebpore College, Calcutta	2 & 1 „
Madras Civil Engineering College	1
Poona College of Science	2

If this system of recruitment is maintained, the Public Works Department Engineers will ultimately be—(1) One-fifth from Royal Engineers; (2) One-half from the Cooper's Hill Royal Engineering College; (3) Three-tenths from Indian Engineering Colleges. Royal Engineer officers above the rank of Subaltern are also admitted into the higher grades, but such admissions are compensated by the reversion to military duty of officers of similar rank. Appointments from sources other than these can only be made with the sanction of Secretary of State, and have practically ceased. They would be recommended only under the most exceptional circumstances. Royal Engineer Subalterns and students from Cooper's Hill are generally, on first joining, appointed Assistant Engineers of the 2nd grade. Students from the Indian Colleges join as Apprentices, and, if qualified, may be promoted after six months to the 3rd grade of Assistant Engineers.

During the period of service leave and furlough are obtainable under the rules applicable to the different classes of officers. Royal Engineers and Civil Engineers appointed in England enjoy practically the most favourable furlough rules with a difference in favour of Royal Engineers as regards the

amount of furlough allowances and the total amount of special leave and furlough combined. Other officers of the Department are subject generally to the leave rules of the Uncovenanted Service.

All officers of the Department must retire at the age of fifty-five years on the pension to which they are entitled. An officer, who on reaching the age of fifty years has not attained the rank of Superintending Engineer, is liable to be called on to retire if a Civil Engineer, or to vacate his appointment and revert to military duty if a military officer. In the case of Royal Engineers and other Military officers pensions are regulated by the rules of the service to which they belong. Civil Engineers professionally trained in England, including those who came out under covenant with the Secretary of State and those who now come from the Cooper's Hill College, are entitled under existing rules to the benefit of a graduated scale of pensions. Additional pensions are also authorized for approved service to officers of the grade of Chief or Superintending Engineer. Furlough for two years in twenty years of service, three in twenty-five, four in thirty, and five in thirty-five counts as pensionable service. Pension is obtainable by the other classes of Civil Engineers trained and appointed in India under the rules applicable to the Uncovenanted Service. In the case of such officers, obtained from other sources than the Indian Colleges, no service before twenty-two years of age counts for pension, as they are supposed to have entered the Department young and to have procured their technical training in it. A Provident Fund was established in 1884, to which all Civil Engineers and members of the Superior Accounts Branch, who entered the service since that date, are compelled to subscribe. Officers of those classes who were in the service at that time may subscribe if they choose. The benefits of the Fund are in addition to the prospective right to pension.

119. Views and recommendations of the Commission.—The Commission is of opinion that the considerations which, in respect to the Judicial and Revenue branches of the administration, led it to recommend the formation of Imperial and Provincial Services with distinct conditions of service, regulated on separate grounds, apply with equal force to the Department of Public Works. Some of the operations of that Department require the highest Engineering skill and training obtainable in England, and for the control and direction of a great Department, the annual expenditure of which is reckoned by millions, qualifications are wanted which are not at present readily attainable in this country. On the other hand, much of the work which falls to the Engineering Establishment is such as may be and is performed efficiently by officers who have received their professional education in India.

The Government of India holds that in the Buildings and Roads Branch where works have already been constructed, highly trained Engineers are not requisite, and the policy of the Government is to make over such works to Local authorities, who employ for their maintenance Engineers appointed by themselves not superior to the best of the Upper Subordinate class. The constitution of the Department and the scale on which it is recruited, however, offer great obstacles to the full development of this policy and to its extension to other branches than that of Roads and Buildings. The Engineers are on the hands of the Government and must be employed. Men recruited in India, once in the Department, are paid at the rates considered necessary for men who have received a superior general and professional education in England, and these last find themselves for many years condemned to labour on works within

the capacity of men of an inferior standard of education. The Commission is informed by one very competent witness that at present a Cooper's Hill man is sometimes kept for fifteen years manufacturing bricks and lime and putting them together. Again, the distinctions inevitable in a Department so constituted and recruited give rise to friction and jealousies which must affect the efficiency of its officers. Royal Engineers, Cooper's Hill Engineers, and Engineers educated in India, all belong to the same service, but, as shown above, the conditions of service of each of these classes differ in regard to leave and pension, and the men appointed in India not unnaturally claim to be placed on an equal footing with their brother officers.

The evidence before the Commission leaves no ground for doubting that the officers recruited in England receive at Woolwich, Chatham, and Cooper's Hill a professional education of a higher standard than that which the best Indian Engineering Colleges are capable of affording, and that their general training and education are superior to any attainable in India; but it is abundantly evident that at least one of the Indian Engineering Colleges can, and does, impart such a professional education as is fully adequate for the ordinary work of the Department, and that these Colleges can be made still more efficient for this purpose.

The Commission has found that the employment of highly-trained and highly-paid Engineers in the Accounts Branch of the Department has given rise, in consequence of the advantages in pay and promotion enjoyed by them, to much dissatisfaction. It believes that, to the extent to which it is now carried, this system is inexpedient and unnecessary; that the method of recruiting outsiders for the same branch is not such as to secure the most efficient candidates; and that the fact of Latin being a compulsory subject for the initial examination virtually excludes classes of Her Majesty's subjects from among whom qualified candidates might be looked for.

Holding these views the Commission submits the following proposals as embodying principles on which the Establishment of the Public Works Department should be reorganized in the interests alike of economy and of efficiency, and as furthering the larger admission of qualified Natives of India to employment in this important Department of the public service:—

1. The Engineer Establishment of the Public Works Department should consist of an Imperial Branch and of Provincial Branches.

2. The Imperial Branch should consist of such a number of Royal Engineers as may be required as a reserve for military purposes over and above the officers employed in the Military Works Branch and of Civil Engineers recruited in England.

3. The strength of the Imperial Branch should not be greater than is necessary for purposes of control and direction, and for the execution and repair of works calling for high Engineering skill, and the recruitment from the Cooper's Hill Royal Engineering College, which appears at present excessive, should be regulated accordingly.

4. The conditions of service in the Imperial Branch should be fixed with a view to secure the necessary qualifications in England, and should, as far as possible, be uniform for all officers employed in it.

5. The Provincial Branches should be of a strength adequate for the construction and maintenance in the several Provinces of works not ordinarily calling for high Engineering skill.

6. The recruitment for the Provincial Branches should be made by the direct appointment to the lowest grades of qualified Engineers from the Indian Engineering Colleges and, in exceptional cases, by promotion from the Upper Subordinate grades.

7. There should be at least one college in India thoroughly well equipped for providing a high education for Engineers for the Provincial Branches, and such college should be open to all classes of Her Majesty's subjects.

8. The conditions of service as to pay, furlough, and pension should be fixed for the Provincial Branches without reference to those of the Imperial Branch.

9. The number of professional Engineers and Military officers employed in the superior Accounts Branch is excessive and should be reduced.

10. The mode of appointing outsiders to the Accounts Branch is unsatisfactory. The recruitment should be to a larger extent from all classes of the community; it should be by open competitive examination, the subjects prescribed for the examination being so chosen as not to exclude any class of the community likely to furnish qualified candidates, and by promotion in exceptional cases from the Accountants' grades.

The Commission recommends no change in the present mode of recruitment for the Upper Subordinate grades, but it calls attention to the complaints made by witnesses in the Madras and Bombay Presidencies respecting the inequality of pay and rank and the unequal chances of promotion which exist in the case of military men and civilians respectively who enter the Upper Subordinate Service with similar technical qualifications. It desires to express its opinion that *primâ facie* these complaints appear to deserve consideration.

REGISTRATION DEPARTMENT.

(*Appendix O. 15.*)

120. Existing organization.—

MADRAS.

From the creation of the Department in 1865 up to the present time, only one European officer has been at the head of it—Colonel Macdonald, the first Inspector General who organized the Department. His successors have all been Natives in the Statutory sense. The policy of the first Inspector General was to recruit for the staff only men of education, and at present there are very few officers in the Department who have not passed at least the Matriculation Examination. Care has been taken to secure efficiency in the officers by insisting on probation and a sufficient departmental examination. The salaries are relatively lower than those paid in almost any other Department. The sanctioned staff consists of an Inspector General, twenty-two Special Registrars, three hundred and twenty-three Special Sub-Registrars, and twenty Probationers. The Special Registrars and the Special Sub-Registrars receive salaries of varying amounts with a limited commission on fees. Of the clerks, some are paid fixed salaries but the majority are remunerated by commission. The present Inspector General is a Eurasian who, before his appointment, had held the highest Uncovenanted post in the Secretariat. Excluding the Inspector General, out of three hundred and sixty-five officers and probationers now in the Department, only eight are Eurasians and the rest are Natives,

thirty-six being Mahomedans or Moplahs, eighteen Native Christians, and three hundred and three Hindus. Of the Hindus two hundred and seventeen are Bráhmans.

Bombay.

The Inspector General of Registration has also the superintendence of the Stamp Department and of Jails. The present incumbent is a non-domiciled European. The Head Assistant to the Inspector General and the Accountant are Hindus. The only paid Registrar is the Registrar of Bombay, who is a Hindu. There are three Inspectors of Registration and Stamps, of whom one is a Eurasian and two are Parsis. There are three or four District Inspectors of Village Registration, all of whom are Hindus. Sub-Registrars are all Natives, one being a Parsi and the others Hindus. Inspectors are selected either from the Sub-Registrars or from clerks in the office of the Inspector General. Inspectors of Village Registries are appointed by selection from Sub-Registrars or clerks of Registrars. The Registrar of Bombay is appointed by the Local Government on the recommendation of the Inspector General. Sub-Registrars are selected as far as possible either from Village Registrars under the Dekkan Agriculturists Relief Act, or from clerks in the offices of Sub-Registrars.

Sind.

The supervision of Registration rests with the First Assistant Commissioner as Branch Inspector General. The present incumbent is a non-domiciled European. It is intended to abolish the appointment of Branch Inspector General and to transfer the duties to the Inspector General of Registration for the Presidency of Bombay. The Inspector is a Mahomedan. There are thirty Special Sub-Registrars, among whom Mahomedans preponderate.

Bengal.

The staff of the Department consists of an Inspector General, two Inspectors, one Registrar (for the town of Calcutta), twenty-two Special Sub-Registrars, and two hundred and forty-one Rural Sub-Registrars. District officers are also *ex-officio* Registrars for their respective Districts, and there are in addition twenty-six officers belonging generally to the Executive Service, who are *ex-officio* Sub-Registrars. Hitherto the appointment of Inspector General has always been held by a member of the Covenanted Civil Service. The Inspectors up to the year 1873 were generally Covenanted Civilians. Since that date one of the incumbents has been an Uncovenanted officer, and both the present incumbents are members of the Uncovenanted Service, the senior officer being a Hindu and the junior a non-domiciled European. The Registrar of Calcutta is at present a Hindu. The special Sub-Registrars are all Natives, as are also all the Rural Sub-Registrars except one who is a Eurasian. The service of the Rural Sub-Registrars does not entitle them to pension or furlough, though they may be granted leave without pay. The ordinary pension and leave rules of the Covenanted or Uncovenanted Services apply to the other officers of the Department. Rural Sub-Registrars are appointed generally from the local gentry and the clerical classes.

North-West Provinces and Oudh.

The Inspector General of Registration is also Commissioner of Excise and Stamps and Registrar of Joint Stock Companies. The appointment is held

by a member of the Covenanted Civil Service. Excluding the Inspector General and the officers on whom registration duties devolve *ex-officio*, appointments in the Department are held by domiciled Europeans, Eurasians and Natives, and mainly by the last mentioned. With the exception of the Inspector General only six officers receive emoluments amounting to R100 a month. Of these, three are domiciled Europeans, one is a Eurasian, and two are Mahomedans.

PUNJAB.

The Inspector General of Registration, who also holds the appointment of Superintendent of Stamps, is at present a domiciled European, an Uncovenanted civilian. The official Registration agency is being gradually replaced as suitable men can be found by a non-official agency. Of the forty-four Registering officers of the latter class, thirty are Hindus, eleven are Mahomedans, and three are Europeans and Eurasians. There are only four Registering officers whose monthly earnings during the past year averaged R100 and upwards: of these one is a domiciled European, and the others are Mahomedans. The appointment of Sub-Registrar, when remunerated by fees, gives no claim to furlough or pension. A large proportion of the non-official Sub-Registrars are Native gentlemen of standing and position, who accept the office partly on account of the income, but more on account of the dignity which the position is considered to confer. Some are retired officers of the Government.

CENTRAL PROVINCES.

The Inspector General of Registration, a Covenanted Civilian, is also Commissioner of Excise and Superintendent of Stamps. The appointment of Inspector of Registration offices is always conferred on an educated Native. The Special Sub-Registrars are divided into two classes, all being Natives: twelve are paid partly by salary and partly by commission and nine by commission only. Only Native gentlemen of means and respectability are appointed unsalaried Sub-Registrars; the salaried Sub-Registrars are selected from the ranks of the Native clerks employed in the Registration offices.

ASSAM.

The office of Inspector General of Registration is held by the Inspector General of Police and Jails, who is also Superintendent of Stamps and Commissioner of Excise for half the Province. The present Inspector General is a military officer graded as a Deputy Commissioner of the Assam Commission. There are seven Special Sub-Registrars whose duties are confined to registration. Of these, five receive salaries with commission on the fees, and two are remunerated by commission only. The seven Special Sub-Registrars are all Hindus. With the exception of three Special Sub-Registrars there are no officers in the Department whose emoluments for registration work exceed R100 a month. The Sub-Registrar of Shillong is *ex-officio* Inspector of Registration offices.

BERAR.

The Inspector General of Registration, an officer of the Staff Corps, is also Inspector General of Stamps, Jails and Police. The Inspector of Registration offices, twenty-eight Special Sub-Registrars and fifteen Rural Sub-Registrars are, it is believed, all Hindus. In addition to these there are several *ex-officio* Registrars and Sub-Registrars who receive no remuneration for the work of the Department.

121. Views and recommendations of the Commission.—It will be seen that, with the exception of two appointments of Inspectors General and one or two appointments in the Punjab, all the offices in this Department, which are not held *ex-officio*, are filled by Statutory Natives of India, and principally by Hindus and Mahomedans. It will also be noticed that the appointment of Inspector General is held as a sole charge by a Covenanted Civilian only in Bengal. In other Provinces in which the Inspector General is a Covenanted Civilian, the supervision of the Registration Department is combined with that of other difficult and important branches of the administration, as for instance Excise, Jails and Stamps. In the Punjab the appointment is held by a domiciled European, an Uncovenanted civilian; in Bombay by a European, formerly a Military officer; and in Madras by a Eurasian, an Uncovenanted officer. It will be seen that the Department is recruited in Madras by the appointment of young men to a graded service, while in the other Provinces the Registration officers are selected ordinarily from the local gentry, from the ministerial officers of the Courts, or from officers who have retired on pension.

It appears to the Commission that under the present system of registration it is not essential that the head of the Department should be a Covenanted Civilian, and it therefore recommends that the appointment of Inspector General should not be included in the *cadre* of the Imperial Service for the purpose of recruitment. At the same time the Commission recognizes the fact that circumstances may arise under which the appointment should be held by an officer of the Covenanted or Imperial Service. If, for instance, the surveys now being carried out should permit the substitution of a system of registration of title for that of registration of assurance, and if the Government should decide on this course, it might be expedient that the change should be initiated by an officer experienced in the administration of the Land Revenue Department. With regard to the claim made in the Madras Presidency that officers of the Department should be entitled to look for promotion to the Revenue and Judicial Services, the Commission is of opinion that while no obstacle should be placed in the way of such Registration officers as may desire to compete for employment in other Departments, some of whom would doubtless be found well qualified for service in other branches of the administration, those officers should not be exempted from the operation of any rules prescribed to ensure the possession of the special qualifications required in any particular Department. Lastly, the Commission invites attention to the observations made by Registration officers of the Madras Presidency as to the inexpediency of the system of remuneration provided in that Province for certain classes of clerks.

SALT DEPARTMENT.

(*Appendix O. 16.*)

122. Existing organization.—

NORTHERN INDIA.

The staff of the Department comprises the following gazetted officers: the Commissioner, who is a member of the Covenanted Civil Service; the Deputy Commissioner, and seven Assistant Commissioners. Of the Deputy and Assistant Commissioners, five are non-domiciled Europeans and three are domiciled Europeans. As soon as the establishment can be reduced, the

number of gazetted officers is to be limited to six, the number of Assistant Commissioners being reduced to five.

In addition to the gazetted officers, there are three grades of Superintendents, numbering in all fifty-three officers, of whom nine are non-domiciled Europeans, twenty-seven are domiciled Europeans, fifteen are Eurasians, and two are Mahomedans. The number of Superintendents is to be gradually reduced to forty-two as vacancies occur. The scale of salary now enjoyed by Superintendents was sanctioned by the Secretary of State in 1886; but it has recently been recommended that, in the case of all officers appointed in future to the Department, the scale of pay in force previously to 1886 shall be reverted to.

The Deputy Commissioner is selected by the Government of India on the nomination of the Commissioner from the Assistant Commissioners on the ground of superior ability and fitness for the post. The Assistant Commissioners are, on similar grounds, selected by the Commissioner from any grade of Superintendents. First appointments of officers of the superior staff are made only to the lowest grade of Superintendents. A list is kept of approved candidates. Candidates are appointed on probation for a year, and are not confirmed until they have passed a searching departmental examination.

Madras.

The Salt works in the Madras Presidency are scattered over a coast line upwards of one thousand miles in extent. To this must be added the works in the Province of Orissa, which, for the administration of the Salt Revenue, has been placed under the Madras Department. The Department has also since the enactment of Act I of 1886 been charged with the protection of the Abkári Revenue. The Commissioner for Salt and Abkári has, under recent arrangements, been constituted a Member of the Board of Revenue. The appointment is held by a Covenanted Civilian. The officer second in rank in the Department is the Secretary who is also a Covenanted Civilian. An Assistant Secretary is appointed from the gazetted officers of the Department. The present incumbent is a Eurasian. The gazetted officers, in addition to those mentioned, are three Deputy Commissioners, all non-domiciled Europeans, and ten Assistant Commissioners in four grades, of whom seven are non-domiciled Europeans, one is a domiciled European, one is a Eurasian and one is a Hindu. But it is stated to be the policy to appoint to the grades of Deputy and Assistant Commissioner only gentlemen educated in Europe.

There is also a staff of Inspectors, Probationary Inspectors and Assistant Inspectors, the large majority of whom are domiciled and non-domiciled Europeans and Eurasians. The remaining appointments are held by Natives.

Bombay.

At the head of the Department is the Commissioner of Customs, Salt, Opium and Abkári, who must, by law, be a Covenanted Civilian. The administration of the Department in subordination to the Commissioner is committed to the Collector of Salt Revenue, who is always a Covenanted Civilian. There are now one Deputy Collector, a Covenanted Civilian, and nine Assistant Collectors in four grades. There is also a Native Assistant to the Collector. One of the Assistant Collectors is a domiciled European and two are Parsis, the others are non-domiciled Europeans. The Native Assistant is a Hindu. Appointments are generally made from men outside the Department;

but they are occasionally made from the non-gazetted grades, and three of the present staff of Assistants were so appointed.

The staff of Coast Guard Inspectors and Inspectors and Assistant Inspectors on the Northern Frontier Preventive Line is made up of Europeans domiciled and non-domiciled and Natives in varying proportions. It contains only one Eurasian.

Appointments to the subordinate executive grades are made generally by promotions from the ministerial grades of the Department, but officers are occasionally brought in from other Departments under the Commissioner, or from the Land Revenue Department, on account of their special qualifications. It is not, however, the practice to appoint to vacancies in those grades any one who has not previously been in Government service.

As the administration of the Salt Revenue is combined with that of other sources of revenue, the duties of the staff are multifarious. In connection with salt the officers of the Department are employed in supervising the manufacture of that article on account of the Government, in controlling its manufacture by persons to whom licenses have been issued, in collecting the excise duty thereon, and in preventing illicit manufacture of salt and smuggling into Rajputana, Central India and Ahmedabad. They are also engaged in preventing the smuggling of opium from Rajputana and Central India into Guzerat. In connection with Customs, they are responsible for the enforcement of the law relating to Customs duties, merchant shipping, registration of vessels and conveyance of passengers by sea, and are charged with the registration of Customs statistics, the conservancy of the ports, and the management of the beacons, buoys and lighthouses throughout the Presidency except at the port of Bombay. In connection with Abkári they manage the distilleries from which the town and island of Bombay and the adjoining districts of Thana and Kolaba draw the chief part of their supply of country spirit, assess the excise on the whole of the spirit produced at those distilleries, and collect so much of the duty as is assessed on spirit intended for consumption in Bombay.

123. Views and recommendations of the Commission.—It has been proposed that the Commissionership of the Northern India Salt Department should be withdrawn from the Imperial Service and conferred on an officer of the Department locally recruited. Having considered the reasons urged for and against this proposal, the Commission is unable to support it. It is expedient that the direction of a Department which collects so important a source of revenue should be entrusted to an officer selected from the Imperial Service. Great discretion is required to avoid hampering the operations of commerce and harassing the public with unnecessary proceedings for the enforcement of the preventive laws. Tact and personal influence are necessary in order to escape friction with District Officers and to facilitate the transaction of business with Native Durbars. Without implying that the necessary qualities may not be found in the excellent officers who have been trained in the Department, the Commission considers that the position of an officer of the Imperial Service confers on him special qualifications for the successful administration of this important Department, and it is noticeable that no claim to the appointment was advanced on behalf of the Department by any of the officers who were examined by the Sub-Committee. In regard to this appointment as well as the Commissionerships of Salt in the Southern and Western Presidencies, the

Commission accordingly recommends that they should, as heretofore, be placed among the scheduled appointments.

Objection has been taken in the Northern India Salt Department to the orders which have been issued reducing the pay of Superintendents below the rates sanctioned so recently as 1886. These orders do not affect existing incumbents, and it is reported that in consequence of the reduction of the establishment no further appointments will be made for some years. The Commission ventures to suggest that when recruitment is resumed the orders directing the reduction of salaries should be reconsidered. The service requires in some degree educational and in a high degree moral and physical qualifications. Officers are peculiarly exposed in the discharge of their duties to dangers and inconveniences arising from varying conditions of climate and other causes, and their prospects in the Department are believed to be inferior to those of officers in the Salt Departments in Southern and Western India.

It appears from the enquiries made by the Sub-Committee that in several Departments in the Madras Presidency and in the professions there are to be found domiciled Europeans, Eurasians and Natives who possess the qualifications required in gazetted officers of this Department. The Commission recognizes that in a Department which has been recently reorganized and where it was at first necessary to introduce untried men, the Commissioner may have been justified in selecting officers from the class in which the possession of the required qualifications might be most confidently presumed, but assuming that appointments are made on probation, the continuance of this system which is based on a presumption of unfitness in certain classes of Her Majesty's subjects, appears unnecessary and undesirable.

The nature of the duties entailed on gazetted officers of the Salt Department in each Presidency varies greatly. For the adequate discharge of some of them education or physique and special technical knowledge are not required in an equal degree, and it is difficult to propose any general rules of recruitment which would suit equally the circumstances of each Presidency and allow the admission of all classes who might be employed with benefit to the State. The Commission therefore confines itself to the general recommendation that, sufficient precautions being taken to secure the requisite physical qualifications, the same principles should govern the recruitment for and promotion in this Department as have been recommended for the Provincial Service, and that rules should be framed in the case of the Northern India Salt Department by the Government of India, and in the case of the Departments in Madras and Bombay by the Local Governments respectively, subject to the approval of the Government of India, to give effect to this recommendation.

SURVEY DEPARTMENT.

(*Appendix O. 17.*)

124. Existing organization.—

INDIA.

The Administrative Staff of the Survey Department comprises the Surveyor General, the Deputy Surveyor General in the Revenue Branch, and the Deputy Surveyor General in the Trigonometrical Branch. All of these officers are non-domiciled Europeans. The sanctioned staff of the Senior Division comprises thirty-two Deputy Superintendents in four grades, and seventeen Assistant

Superintendents in two grades; but three appointments in the lower grade are vacant. The officers of the Senior Division are partly Military and partly Civil, the proportion being from time to time determined by the Surveyor General, subject to the control of the Government. It is stated that the average proportion for the last fifteen years has been 3·2 Military officers to one civilian. At the time of this enquiry thirty-seven out of forty-nine posts in the Administrative Senior Division were held by Military officers and twelve by civilians, of whom nine had been promoted from the Lower Division and three had been specially appointed. Of the forty-six officers in the Upper Division, thirty-nine are non-domiciled Europeans, six are domiciled Europeans, and one is a Eurasian.

The Junior Division comprises fifty Surveyors in four grades, and eighty-five Assistant Surveyors in three grades, two appointments in the lowest grade being vacant. In the 3rd grade one appointment is held by a Hindu and another by a Mahomedan, who were promoted for special services in connection with the Afghan Boundary Commission. Of the other officers in the Junior Division, five are non-domiciled Europeans, ninety-three are domiciled Europeans, and thirty-three are Eurasians. The sanctioned staff of Sub-Surveyors comprises five hundred posts on salaries ranging from R10 to R110 a month. Only two Sub-Surveyors receive monthly salaries amounting to R100. Both of these are Hindus.

The Surveyor General considers that the Senior Division of the service should be officered mainly by the Military class, and he refers to the practice of the leading European nations as justifying this opinion. He notes that in India it has been found necessary to place survey parties in the field under Military Executive officers for co-operation with military forces and political missions; and he states that the calls for Military Survey officers during recent years have proved that it is difficult, even with the present strength of the Military staff, to meet the requirements when military operations on any extensive scale are being carried on across the frontier. He would, therefore, make no reduction in the present proportion of the Military element. He would also maintain the present proportion of the Civil element to afford the means of rewarding meritorious officers of the Junior Division, and to provide for the appointment of specialists when required. He would restrict appointments in the Senior Division to officers of European birth and education.

The Junior or Subordinate Division has been hitherto officered for the most part by Europeans domiciled in India, and Eurasians, of whom many have passed the Matriculation Examination of the Indian Universities. The Surveyor General states that the experiment of employing Natives in this branch has been tried in former years to a limited extent, but with so little success that it was not continued. In the lowest division, that of Sub-Surveyors, he states that the services of Natives have been extensively utilized in practical survey work in the field under European supervision, and that the work which has been, and is being, performed by this class of men is all that can be desired. In the year 1884 the Government of India determined that Natives should be employed in the Junior Division, believing that educated or trained Natives could be found who were competent to perform all the duties of the Subordinate Staff; and that as the competence of such Natives had not been made the subject of trial, the presumption of incompetence could not be admitted.

Madras.

The Revenue Survey Department in the Madras Presidency is charged only with the duties of survey, the demarcation of boundaries, and the decision of boundary disputes under Act XXVIII of 1860. The classification of soils and assessment of revenue are carried out by the Revenue Settlement Department. The gazetted staff consists of eighteen officers: the Superintendent, one Deputy Superintendent of the 1st grade, four Deputy Superintendents of the 2nd grade, four First Assistant Superintendents, five Second Assistant Superintendents, and three Probationary Assistant Superintendents. All the gazetted appointments are now held by non-domiciled Europeans. The non-employment of domiciled Europeans, Eurasians and Natives appears to be due to the apprehension that men of these classes cannot be obtained who combine in a sufficient degree the education, physique, and social standing which are deemed to be requisite for efficiency in the superior grades of the service. When the Department was originally created, appointments to the gazetted staff were made by nomination. Subsequently competition was introduced, open to all classes of Her Majesty's subjects. The present Senior Deputy Superintendent and three other officers obtained their appointments under this system; but after a few months it was abandoned, and either Military officers or Uncovenanted civilians were appointed on the nomination of the Governor. There is now only one Military officer in the Department. Of late years it has been customary to appoint young men, principally the sons of Civil or Military officers, as Probationers. No technical knowledge is required on the part of Probationers before they are appointed, but after they are nominated they must go through a course of instruction in Surveying and Mathematics at the Civil Engineering College, which may extend to one year, and must then pass an examination in Mathematics and in a Vernacular language. During the course of instruction a Probationer receives a salary of ₹200 a month. In a Resolution No. 315, dated 22nd March 1887, the Government of Madras declared its intention to appoint Natives and Europeans alternately. As, however, the survey of the Presidency will probably be completed and the Department abolished within a few years, and as there are at the present time three Probationers to recruit a staff of fifteen officers, it is improbable that any considerable effect will be given to this intention.

Of appointments which are not gazetted, thirty-eight carry salaries of ₹100 a month and upwards. According to the sanctioned scale of establishment, there are six grades of Sub-Assistant Superintendents. These appointments are all held by Statutory Natives, and only one of them by a domiciled European. Of the Sub-Assistant Superintendents and Head Surveyors, nineteen are Eurasians, thirteen are Hindus and one is a Mahomedan.

Bombay.

The Revenue Survey Department in the Bombay Presidency is charged not only with the survey of land liable to revenue, waste land and forest, the demarcation of boundaries and the decision of boundary disputes, but also with the assessment of the rates at which the revenue is payable on land brought under settlement. In the Presidency proper there are at present four Survey Divisions, *viz*, the Poona and Nasik Survey, the Gujarat Survey, the Ratnagiri Survey, and the Southern Mahratta Country Survey. Each of these divisions is under the charge of a Superintendent or Deputy Superintendent according to the strength of the establishments employed in the division. Subordinate to the Superin-

tendent of Survey, there are an Assistant Settlement Officer and Assistant Superintendents of Survey, the number of Assistant Superintendents varying in each division. The duties of the Assistant Settlement Officer are to supervise the classification of soils performed by a field establishment under his direct charge and also to collect such statistics as to the population and condition of villages, the crops and the soils as may be necessary for the assessment of revenue rates and the compilation of Settlement reports. The duties of the Assistant Superintendents are to supervise the measurement of the lands and the classification of soils.

The existing staff of the Department consists of the Survey Commissioner, two Superintendents, two Deputy Superintendents, four Settlement Officers and thirty Assistant Superintendents in four grades. There are also four appointments of Probationary Assistant Superintendents; but these appointments are at present vacant, probably because it is deemed inexpedient to increase the staff of a Department of which the operations will in all likelihood be brought to a close in about seven years. In the Photozincographic office there are a Superintendent, a Head Photographer, and a Zincographic Printer.

Of the four Settlement Officers, two are domiciled Europeans and one is a Eurasian, and there are three Eurasians in the 1st grade of Assistant Superintendents. The Zincographic Printer is a domiciled European. With these exceptions all the officers of the Department whose pay amounts to ₹100 a month and upwards, and who are not charged with purely clerical duties, are non-domiciled Europeans.

SIND.

The Revenue Survey Department in Sind is charged with the same duties as the Department in the Bombay Presidency, and officers are, as occasion requires, transferred from the one to the other. The staff at present consists of a Superintendent who is a Military Officer, an Assistant Settlement Officer, and seven Assistant Superintendents in four grades. With the exception of an Assistant Superintendent of the 1st grade, who is a domiciled European, all the gazetted officers are non-domiciled Europeans.

125. Views and recommendations of the Commission.—The Commission does not feel itself at liberty to deal with the question of the number of Royal Engineers or other Military officers who should be employed in the Senior Division; but it suggests that these officers, with such specialists as may be recruited in England, should be regarded as forming a distinct branch of the service, with pay, furlough and pension adjusted to the requirements of a service so recruited. It further suggests that the posts now held by the Junior Division should be amalgamated with some posts surrendered by the Senior Division so as to provide sufficiently attractive prospects for a service locally recruited, the pay, furlough and pension rules applicable to which should be adjusted on the principles already indicated by the Commission in respect of other services recruited in India.

The evidence collected by the Sub-Committee appears to show that the objection to the employment of Natives in the Junior Division is not based on their inability to perform the technical duties devolving on the officers of that division, but arises from the doubt whether Natives could be found with the requisite qualifications for controlling subordinates and exercising sound discretion in the expenditure of funds and in the dispensing of patronage. This doubt the Commission does not share. The Commission entirely approves of the decision of the Government of India that admissions to

the Junior Division (or to the Local Service if the recommendation of the Commission is adopted) should not be confined to special classes of Her Majesty's subjects in India. It is also of opinion that admission to this service should be regulated by competition among selected candidates, and exceptionally by promotion from the Subordinate Service.

With regard to the Revenue Survey Department in the Madras Presidency, the Commission observes that it has been found possible to employ domiciled Europeans and Eurasians in the Survey of India and in the Survey and Settlement Department of Bombay in positions analogous to those from which they have been to some extent excluded in Madras. It also observes that although Natives have been admitted to more lucrative posts in the Survey of Madras than they have received in the Survey of India, no sufficient opportunity has been as yet afforded to the more educated classes of proving their fitness for gazetted appointments in the Madras Survey. The Commission cannot approve of the system which has obtained in Madras of appointing probationers without proof that they possess any technical qualifications, and of providing them with rudimentary technical instruction at the expense of the State. It would further point out that the admission of three probationers for a staff of fifteen officers in a Department which will probably be abolished in a few years will increase the number of officers who, when survey operations are discontinued, may advance claims for compensation, or for whom employment must be found in other Departments.

With regard to the Department of Survey and Settlement in the Bombay Presidency, the reluctance to appoint Natives to the superior posts appears to have arisen from the doubt whether men with the requisite technical qualifications could be found sufficiently trustworthy and with a sufficient sense of responsibility to fix rates of assessment which are to form the basis of the land revenue for all subsequent settlements. The testimony borne by the Commissioner of Revenue Settlements in Madras to the efficiency of Natives in Settlement work, however, suggests that Natives might be employed, at least to some extent, on the same duties in the Presidency of Bombay if a more educated class than is employed in the subordinate staff were allowed the opportunity of entering the superior service. The Commission would have made the same recommendations for the recruitment of the Revenue Survey Departments in both Presidencies as it has for the recruitment of the Junior Division of the Survey of India had it not understood that these Departments will be abolished within a comparatively short period, and that the necessary Revenue Surveys will be hereafter carried on by the Revenue and Agricultural Establishments. In view of this circumstance the Commission recommends that no further appointments of probationers should be made to the gazetted posts, and that any deficiency experienced in the strength of the existing agency should be supplied from other Provincial Services, such as the Land Revenue or Public Works Departments. A trained staff will thus be secured which, on the abolition of the Revenue Survey Departments, will be available to carry on under competent control such surveys and settlements as may from time to time be required.

TELEGRAPH DEPARTMENT.

(*Appendix O. 18.*)

126. Existing organization.—The staff of the Telegraph Department comprises the Superior Establishment, the Accounts Branch, the Upper Subor-

dinate Establishment, the Signalling Establishment including Telegraph-Masters, and the Lower Subordinate Establishment.

The Superior Establishment, in October 1887, consisted of ninety-seven gazetted officers. The administration of the Department rests with the Director-General, assisted by the Deputy Director-General and the Directors of the Traffic Branch and of the Construction Branch. The Director-General is also allowed the services of a gazetted officer as Personal Assistant. The superintending and higher executive staff at present consists of forty Superintendents in five grades. There are fifty-five Assistant Superintendents. The gazetted officers are with two exceptions non-domiciled Europeans. One Superintendent in the 4th grade and one Assistant Superintendent are Eurasians.

On the creation of the Department some officers were obtained for the gazetted staff in India, others were appointed by the Court of Directors and subsequently by the Secretary of State and specially trained in England. Since 1878, appointments to the gazetted staff have been made from, and are now practically confined to, students trained at the Royal Engineering College at Cooper's Hill. In 1880-81 the average number of annual vacancies in the Superior Establishment was estimated at five, and it was determined that two appointments only should be made each year in England, that the three vacancies unprovided for should be allowed to lapse or be filled experimentally by appointments in India according to the requirements of the service, and that the pay of appointments made in India should be fixed at two-thirds of the pay of similar appointments filled in England. Now that the main lines of communication have been established and the organization of the Department has been completed, it has been resolved to reduce the number of officers on the superior staff to eighty-four, and in order to expedite promotion, an inducement in the form of special pensions has been offered to secure the more speedy retirement of some of the senior officers.

Officers of the Superior Establishment are entitled to the benefit of the leave and pension rules applicable to the Uncovenanted Service, and such of them as have been trained in England or whose names are scheduled are allowed special privileges. Officers specially trained who entered the Department under covenant with the Court of Directors or with the Secretary of State, and officers appointed from Cooper's Hill are entitled to graduated pensions; officers who have attained the positions of Director-General or Deputy Director-General, or Director or Superintendent of the 1st grade and have served in those ranks for three years are entitled to extra pensions.

The Accounts Branch is officered by the staff of the Public Works Accounts Department.

The existing strength of the Signalling Branch appears to be one thousand two hundred and eighty-six. There are also attached to the Department ten British soldiers, of whom one is employed in the workshops. Of these one thousand two hundred and eighty-six officers one hundred and forty-seven are domiciled Europeans, eight hundred and eighty-nine are Eurasians, two hundred and nine are Hindus, seven are Mahomedans, and thirty-four are Natives of other creeds. The Signalling Branch comprises a general and a local service. The members of the latter engage to serve within certain defined limits—roughly speaking, the limits of the Presidency or Province for which they are enlisted. The members of the general service engage to serve in any Province or place to which the operations of the Department may extend. Local service men are permitted to volunteer for general service if they are fit for it and if their services are

required, and general service men may under certain circumstances be transferred to the local service. There are four grades of Signallers in each service, termed respectively superior, good, average, and indifferent; but the indifferent grade is a punishment grade. The sanctioned strength of these grades respectively is as follows:—Superior, ten per cent.; good, thirty per cent.; average and indifferent, sixty per cent.

In order to provide technical training for candidates for employment in this Branch, classes are formed at several centres open to all persons, without distinction of race, who are physically qualified for employment, are between the ages of sixteen and twenty years, and have passed a qualifying examination. The students at these classes are termed probationers, and the period of training is regulated by the ability of the candidates, the full period allowed for training in the classes being ordinarily nine months. Before admission as paid Signallers, probationers are required to pass an examination in elementary electricity and magnetism, office routine, signalling, the use and nature of instruments and dictation. Special classes have also been formed for pupils at the Lawrence Asylums at Sanawar and Ootacamund.

Examinations, open to all members of the signalling staff, are held periodically when a sufficient number of vacancies are available, in order to determine the officers who are qualified for promotion to the good and superior grades. The test is not confined to technical and educational attainments, but conduct and special services are taken into consideration, and marks are allotted for them. For exceptionally good service, the Director-General occasionally awards promotion without examination. An annual examination is also held to test the manipulative ability of the officers, and they are required to maintain certain minimum standards to preserve their places in the grades. Some complaint has been made that this rule operates harshly in the case of men of advanced age, but the standards are pronounced by officers qualified to express an opinion as not unduly severe. Members of the signalling staff, who show special aptitude, are employed as testing Telegraph-Masters at the large stations at which the lines are regularly tested. They are also attached, when practicable, to the office of the Electrician to assist him in cable testing and experimental research.

In addition to their emoluments as Signallers, Telegraph-Masters draw monthly allowances of R80, R60, R40 and R20 for the charge of offices or training classes, the charge of bodies of signallers on duty in the larger offices, and special testing and inspection duties. These allowances are local and not personal; but they are taken into account in determining the amount of pension, and complaint has been made that a Telegraph-Master may, by transfer to a station at which the allowance is smaller than that which was attached to the office from which he was transferred, suffer a serious diminution in the amount claimable as pension.

The Upper Subordinate Establishment is recruited from the members of the signalling staff who have reached the superior grade, the selection being made with reference to special aptitude, conduct, and physique, rather than to length of service, and the qualifications of officers for line work being tested by attaching them to a work of construction. Officers who have thus proved their efficiency enter the 2nd grade of Sub-Assistants and their first year's service in that grade is regarded as probationary. Promotion to the first grade is regulated by vacancies. The number of officers in these grades is contingent on the strength of the Superior Establishment, the Government of India having

rûled that the aggregate number of officers of the Superior and Upper Subordinate Establishments shall not exceed one hundred and sixty-five. At the time of this enquiry, there were fifty-six Sub-Assistants, of whom twenty-six were domiciled Europeans, twenty-eight were Eurasians, and two were Hindus. The most intelligent and trustworthy members of the Upper Subordinate Establishment are chosen for sub-divisional charges, and the attainments required of them are similar in character to those of Assistant Superintendents, though less in degree. The Director-General reported that at the date of this enquiry fourteen Sub-Assistants were in charge of sub-divisions and eleven in charge of construction works. There is a provisional class of 1st grade Inspectors, which, it is understood, will be ultimately abolished. Of four officers in this class one is a non-domiciled European, two are Eurasians, and one is a Hindu.

The leave and pensions of the Signalling Branch and of the Upper Subordinate Establishment are regulated by the general rules of the Financial Codes applicable to Uncovenanted officers, except as regards the inclusion of local allowances in the computation of the pensions of Telegraph-Masters.

The Lower Subordinate Establishment consists of Linemen and Sub-Inspectors.

127. Views and recommendations of the Commission.—The importance of maintaining the Telegraph Department in the highest degree of efficiency is imposed on the Government of India as a duty not only in view of the great services which it renders both in war and in peace to the State, to commerce and to the public generally, but also by reason of its obligations to foreign administrations with which it is associated in carrying on the international telegraph traffic of the world. As there is no competition between rival telegraph lines in India, the Government has to rely on the Department itself to secure that telegraphy in India keeps pace with the progress of the science in other countries, while the paucity of local appliances calls for highly trained and intelligent skill to devise expedients to meet unexpected emergencies. The Commission therefore recommends that for the present the recruitment in England on the scale now sanctioned should be maintained.

It has been suggested that the training of officers recruited from Cooper's Hill should, as in the case of the Engineer students, be extended over a period of three years, so that they might receive further technical instruction. The Commission would point out that this proposal has the support of very competent witnesses.

Complaint has been made that the prospects of pay and promotion of officers in the Telegraph Department are less attractive than those enjoyed by officers in the Department of Public Works, and that officers in the former Department are at a disadvantage in respect of Presidency house allowance and the provision of tents. Remedial measures have been already sanctioned by the Secretary of State to improve the prospects of the officers who have been affected by stagnation of promotion; the other grievances which form the subject of complaint, if substantial, afford ground for representation to the Government rather than for suggestions on the part of the Commission which, under its instructions, can consider the conditions of service only in so far as they may affect the recruitment of Europeans and Natives respectively. While advising that the recruitment in England be maintained at its present strength, the Commission recommends that the gradual reduction of the staff recruited in

England should be kept in view, and that a superior Local Telegraph Service should be recruited in India from classes to be established at one or more of the Indian Engineering Colleges. It also recommends that instead of adjusting the pay of officers locally recruited with reference to the pay of officers recruited in England, the pay and other conditions of the service locally recruited should be determined independently on the same principles as it is proposed to adopt for the Provincial Service.

The complaint of Telegraph-Masters referred to above regarding the prejudicial effect of transfers on pensions, the amount of which is partly regulated by the local allowances drawn, appears to the Commission worthy of attention.

It is also alleged that house allowances are granted to European and Eurasian Signallers at a higher rate than to Natives holding the same posts. If any difference at present exists under this head which involves a race distinction, the Commission entertains no doubt that it will be rectified.

CHAPTER X.

SUMMARY OF THE CONCLUSIONS AND RECOMMENDATIONS OF THE COMMISSION.

128. Summary.—Omitting such matters as are only answers to questions on which the Government of India has called for information and which do not lead to practical action, the Commission thinks that it may be useful, before closing this Report, to summarise its conclusions and recommendations. Briefly stated, these conclusions and recommendations are the following:—

General.

1. That no proposal can be supported as sound in itself or likely to be a final solution of the problems embraced in the present enquiry, which involves a departure from the principle enacted in Section 87 of the Statute 3 and 4 Will. IV, Cap. 85, or from the policy set forth in Her Majesty's Proclamation of 1858 [*paragraph 58 of Report*].

The Competitive System.

2. That admission to the branch of the Civil Service known as the Covenanted Civil Service should continue on the system established by Section 32 of the Statute 21 and 22 Vic., Cap. 106, *i.e.*, by competitive examination open to all natural-born subjects of Her Majesty and held in accordance with Regulations made from time to time under the Statute [*paragraph 59 of Report*].

3. That it is inexpedient to hold an examination in India for the Covenanted Civil Service simultaneously with the examination in London [*paragraph 60 of Report*].

4. That the minimum and maximum limits of age for Native candidates at the open competitive examination held in England should be nineteen and twenty-three years respectively [*paragraph 62 of Report*].

5. That the chief vernacular languages of India and the Persian language should not be added to the subjects of the open competitive examination in England, but should be included among the special studies to be entered upon by the successful candidates preparatory to duty in India [*paragraph 63 of Report*].

6. That Her Majesty's Civil Service Commissioners should be invited to take into their consideration the question of the adequacy of the marks at present assigned at the open competitive examination to the Sanskrit and Arabic languages, and the suitability of the standard exacted [*paragraph 63 of Report*].

7. That the proposal to fix the number of Native candidates to be selected by competitive examination in London and to select them by an examination separate from that of European candidates and especially adapted, as regards limits of age and otherwise, to the conditions of Natives of India, does not commend itself to the Commission, which is of opinion that the competition in England should remain open as heretofore without restriction or distinction, as by the present law provided, to all natural-born subjects of Her Majesty of whatever race or colour or creed or place of birth who can satisfy the preliminary conditions prescribed in the rules framed by the Civil Service Commissioners, and that selection should be made impartially and indifferently from among the

candidates according to their order of merit as ascertained in one and the same examination [*paragraph 64 of Report*].

8. That the rule which admits of selected candidates for the Civil Service, after completion of their two years' probation, remaining an additional year in England for the purpose of taking a University degree, is inconvenient as disturbing the annual recruitment for the several Provinces of India; that it is a departure from the principle that the general education of students should be completed before and not after they enter upon the special studies designed to fit them for duty in India; and that to expend the revenues of India in helping candidates who, having passed their period of preliminary training successfully, are pronounced qualified for service in India, to complete their general education is an indefensible arrangement [*paragraph 66 of Report*].

9. That the general conditions of service accorded to officers of the Covenanted Civil Service, who are recruited in England, do not appear to be in any way suitable to Natives of India obtaining office under the Statutory Rules or otherwise appointed in India [*paragraph 70 of Report*].

The Statutory Service.

10. That the existing Statutory system has failed to fulfil the expectations anticipated from it; that it is for sufficiently good reasons condemned, not only by particular sections of the Native community, but also by the very large majority of officials, both European and Native, who have had practical experience of its working; that it should be abolished, and that Section 6 of the Statute 33 Vic., Cap. 3, should be repealed [*paragraph 72 of Report*].

The Covenanted or Imperial Service.

11. That, in the present circumstances of the country, the claims of Natives of India to higher and more extensive employment in the public service, and the admission of competent Natives of each Province of India to a due proportion of the posts heretofore reserved for the Covenanted Civil Service, can be best provided for by reducing the Covenanted Civil Service to a *corps d'élite*, by limiting its numbers to what is necessary to fill the chief administrative appointments of the Government and such a number of the smaller appointments as will ensure a complete course of training for junior Civilians, and by transferring a corresponding number of appointments to a local service to be separately recruited in each Province of India [*paragraph 73 of Report*].

12. That the use of the term "Covenanted Civil Service of India" should be discontinued, and that the term should be replaced by the expression "Imperial Civil Service of India" [*paragraph 75 of Report*].

13. That the members of the Imperial Civil Service of India should be bound to serve wheresoever and in whatsoever capacity the Government may see fit and should be eligible for any appointment for which the Government considers them qualified [*paragraph 75 of Report*].

14. That no change in principle should be made in the Statute 24 and 25 Vic., Cap. 54, which directs that all vacancies in certain offices shall, save under special circumstances, be filled up from amongst the Covenanted Civil Servants of the Crown in India [*paragraph 76 of Report*].

15. That, subject to the arrangements in force for recruiting from the Army Staff Corps in the Punjab and Assam, the Schedule attached to the

Statute 24 and 25 Vic., Cap. 54, should be so extended as to include analogous appointments in those and all other Non-Regulation Provinces [*paragraph 76 of Report*].

16. That the number of appointments reserved in the Schedule attached to the Statute 24 and 25 Vic., Cap. 54, should be reduced, and that the Schedule recommended in Appendix N. to this Report should be adopted [*paragraph 77 of Report.—Attention is called to the dissents* of certain members of the Commission*].

17. That if the *cadre* of the Covenanted Civil Service is larger than would be required under the proposals now made, the Government should, in the future recruitment for the Covenanted Service, have regard to the reduced Schedule in order to give due effect to those proposals; and that regard should further be had to the fact that there are some appointments outside the Schedule which it will probably be the policy of the Government usually, though not exclusively, to fill from the Imperial Service and others to which members of the Imperial Service will only occasionally be appointed [*paragraphs 77 and 81 of Report*].

18. That a provision should be inserted in the Statute 24 and 25 Vic., Cap. 54, enabling the Secretary of State in Council, with the concurrence of a majority of members present at a meeting, to remove appointments or classes of appointments from the Schedule, or to include them in the Schedule, as may seem desirable from time to time, provided that no such order shall take effect until it has, with the reasons for making it, been laid for ninety days before both Houses of Parliament [*paragraph 77 of Report*].

19. That Section 3 of the Statute 24 and 25 Vic., Cap. 54, should be so amended as to provide for special appointments being made to offices specified in the Schedule on account of exceptional merit and ability proved in the public service, and to judicial offices specified in the Schedule on account of exceptional merit and ability proved in active practice as a barrister, advocate, or pleader of a High Court, as well as "under the special circumstances of the case" [*paragraph 78 of Report*].

20. That Section 4 of the Statute 24 and 25 Vic., Cap. 54, should be amended and supplemented as follows:—

(*a*) the period within which the pleasure of the Secretary of State in Council should be expressed should be six months;

(*b*) in the event of the pleasure of the Secretary of State in Council not being expressed within six months, it should be declared that approval is to be presumed; and

(*c*) in the event of the appointment being disapproved, the law should declare that no official acts performed by the officer, until he receives notice of such disapproval, shall on that ground be held invalid [*paragraph 79 of Report*].

21. That in filling up the higher appointments which it is now proposed to exclude from the Schedule of 1861 regard should be had to the claims of officers of the Covenanted Civil Service who competed in or before the year 1870, and also to the claims of officers belonging to the Army Staff Corps or Uncovenanted Service who were appointed to the ranks of the several Commissions in India prior to that year [*paragraph 80 of Report*].

* See paragraph 77 of Report.

The Provincial and Subordinate Services.

22. That the proportion of judicial and revenue appointments excluded from the Schedule attached to the Statute 24 and 25 Vic., Cap. 54, should be gradually amalgamated with the higher appointments in the Executive and Judicial Departments of the present Uncovenanted Service and should be recruited locally [*paragraph 81 of Report*].

23. That local recruitment should be made separately by the Local Governments of the several Provinces to meet their own special requirements, and that the service so recruited should be called the "Provincial Civil Service" [*paragraphs 75 and 84 of Report*].

24. That members of the Imperial and Provincial Services should, as far as possible, be put on a footing of social equality, and that, when they occupy similar offices, they should be graded together in the official precedence list [*paragraph 75 of Report*].

25. That below the Provincial Service there should be a lower service to be called the "Subordinate Civil Service"; that in the Executive Department the line of division between the Provincial and Subordinate Services may be conveniently drawn between, on the one hand, the appointments of Deputy Collectors or Extra Assistant Commissioners, and, on the other hand, the appointments of Tahsildárs, Mámlatdárs, or Mukhtyárkárs; and that, as regards the Judicial Department, the line should be determined, separately, by each Local Government for each Province, subject to the sanction of the Government of India [*paragraphs 75 and 81 of Report*].

26. That the Provincial Service should be filled up partly by promotion from the Subordinate Service and partly by recruitment [*paragraph 82 of Report*].

27. That, in view of the probability of promotion from the Subordinate Service to the Provincial Service, the rules for the recruitment of the Subordinate Service in each Province should be carefully revised in such a way as to adapt them to the altered circumstances which will be introduced if the general recommendations of the Commission are accepted; that the greatest care should be exercised in the selection of Tahsildárs and similar classes of officers, and that Tahsildárs should not be appointed without careful preliminary training in a post which will fit them for the duties of the higher office [*paragraph 82 of Report*].

28. That, for the purposes of the recruitment of the Provincial Service, no uniform system applicable to all Provinces can at present be recommended, but that a system of open competition should be adopted wherever the Government of India considers it not inexpedient, and that, where open competition is considered unsuitable, a system of competition among candidates previously selected is preferable to a system of nomination, provided that the number of candidates selected for each vacancy is sufficient to make the competition a real one [*paragraph 82 of Report*].

29. That in regard to first appointments to the Judicial branch from the ranks of barristers, advocates, or pleaders, competition would be out of place; but that no barrister, advocate, or pleader should be so appointed who has not been in the active practice of his profession for at least three years, and is not qualified by such a knowledge of the vernacular language as is required on the part of other persons before first appointment to the Provincial Service [*paragraph 82 of Report*].

30. That no person should be considered eligible for recruitment in the Provincial Service unless he furnishes satisfactory evidence—

(*a*) that he is not over twenty-five years of age (except in the case of barristers, advocates, or pleaders appointed to the Judicial branch otherwise than by competitive examination);

(*b*) that he has attained a prescribed preliminary standard of education, and especially of qualification in one of the vernacular languages of the Province in which he is to be employed. The vernacular standard should be a high one, involving a thorough knowledge of the language and ability to write and read the written character with facility; and the evidence required should ordinarily be either a certificate of having passed in the vernacular language and literature by the highest standard of the vernacular school examination, or passing that standard before a Board of Examiners appointed for the purpose of the examination.

(*c*) that he is of sound health, good physique, and active habits; and

(*d*) that he is of good character. [*paragraph 82 of Report*].

31. That all persons appointed to the Provincial Service by recruitment should be subject to a period of probation or training during which time their appointment should be probationary or provisional only, unless in special cases the Government considers such probation or training unnecessary [*paragraph 82 of Report*].

32. That the Government of India should retain power in very special cases and under prescribed conditions to make direct appointments to offices in the higher grades of the Provincial Service [*paragraph 82 of Report*].

33. That, in order to provide a sufficient guarantee of fitness, the exercise of this power in the case of the Judicial branch should be confined to barristers, advocates, or pleaders of the High and Chief Courts, who are suitable in other respects and have shown distinguished ability in the exercise of their profession for a period of not less than ten years, but that in the case of any such occasional appointment the qualifications described above in regard to a thorough knowledge of the vernacular should be fully insisted upon [*paragraph 82 of Report*].

34. That the recruitment of the Provincial Service should be in all cases made under rules to be sanctioned by the Government of India, such rules being published for general information and republished annually in the Local Government Gazettes [*paragraph 82 of Report*].

35. That in the High Courts of Calcutta and Bombay the number of Judges selected from the Judicial branch of the Provincial Service or from advocates or pleaders of the High Courts should be increased, and that a similar course should be pursued in regard to the High Court at Madras in the event of the strength of that Court being increased to six Judges [*paragraph 83 of Report*].

36. That, if the Statute 24 and 25 Vic., Cap. 104, is amended, advocates of High Courts should be expressly declared to be eligible for the appointment of Judges of the High Courts [*paragraph 83 of Report*].

37. That the orders* of the Secretary of State and of the Government of India, passed in 1879, which forbid the appointment without previous sanction of persons other than Natives of India to offices carrying salaries of R200

* See Appendix J to this Report.

a month or upwards in certain Departments of the Uncovenanted Service, should be cancelled; and that, when it is considered necessary to recruit Europeans for the Provincial Service otherwise than under the published rules, the recruitment should be made in Europe and by Her Majesty's Secretary of State [*paragraph 84 of Report*].

38. That it is inexpedient to lay down a rule restricting the recruitment for the Provincial Service to residents of the Province concerned; but that, while recruitment for the Provincial Service should be open to all natural-born subjects of Her Majesty, the Government of India should prescribe from time to time such limitations in respect of residence or otherwise as may be considered expedient, and that, as a general rule, recent residence of at least three years in a Province should be an essential condition of admission to the Provincial Service [*paragraph 84 of Report*].

39. That the grades of pay in the Provincial Service and the pay of appointments to be held by its members, together with the general conditions of such service as to leave and retiring annuity, should be fixed on independent grounds and bear no relative proportion to those of the Imperial Service [*paragraph 85 of Report*].

40. That the pay of officers of the Provincial Service appointed specially to high office for exceptional merit and ability, on the rare occasions on which the Secretary of State may exercise the powers reserved to him, should receive special consideration at the time; and that for appointments made directly by Her Majesty the pay and the rules governing leave and pension should be the same for all incumbents whether belonging to the Imperial or the Provincial Service or appointed from outside the service of Government [*paragraph 85 of Report*].

41. That with regard to appointments to which graded pay is not attached but which it may be intended usually to fill from the Provincial Service, the pay should be fixed with reference to what is required for the Provincial Service and not by a consideration of the pay which would be required for members of the Imperial Service when appointed [*paragraph 85 of Report*].

42. That retrospective effect should not be given to alterations made in pension rules against the will of persons, being already in the service of the Government, who may be injuriously affected thereby; and that, when alterations are made, persons in the service should be allowed the option of adhering to the old rules or accepting the new rules as a whole with all their advantages and disadvantages [*paragraph 85 of Report*].

43. That the recommendations of the Commission regarding the creation of a Provincial Service and the recruitment of that service are subject to due consideration for the rights of existing incumbents of all classes of appointments which may be affected by its proposals [*paragraph 86 of Report*].

44. That Statutory Civilians in actual service should be absorbed into the Provincial Service in such positions as, having regard to the circumstances of each case, the Government of India may consider to be equitable [*paragraph 87 of Report*].

45. That before the dismissal of any member of the Provincial Service, otherwise than on the result of a judicial investigation, he should be afforded an opportunity for enquiry under the law for the time being in force relating to enquiries into the behaviour of public servants [*paragraph 88 of Report*].

Miscellaneous.

46. That inasmuch as the posts of chief administrative officers of districts and Judges involve very responsible duties, the principle of selection should be more completely adopted in regard to those appointments; and that when in the order of seniority officers become eligible for appointment to the posts of Collector or Judge, there should be no hesitation in passing over those persons who have not given distinct evidence that they are fit for such office [*paragraph 89 of Report*].

47. That, as a general rule, officers of the Imperial and Provincial Services, if declared ineligible for promotion, should, after a certain period of service, be liable to be compulsorily retired on reduced pensions calculated with reference to their period of effective service [*paragraph 89 of Report*].

48. That a Board of Examiners should be appointed in each Presidency and Province who should perform duties similar to those entrusted to Her Majesty's Civil Service Commissioners in England, and that, whenever possible, non-official Europeans and Natives should be represented on such Boards [*paragraph 90 of Report*].

Special Departments: General.

49. That when the Commission has made no specific recommendation respecting recruitment and conditions of service in any Department in which changes are suggested, it advises the adoption, as far as may be practicable, of the same rules (see Recommendations 26 to 42) as to preliminary qualification, recruitment, probation and general conditions of service as it has recommended for the Provincial Service, and that the recommendations of the Commission in regard to the several Departments are subject to due consideration for the rights of existing incumbents of all classes of appointments which may be affected by its proposals [*paragraph 91 of Report*].

Accounts Department [*paragraph 93 of Report*].

50. That the office of Comptroller and Auditor General should be included in the Schedule attached to the Statute 24 and 25 Vic., Cap. 54, and that the offices of Accountant General, Civil Auditor and Sub-Treasurer should be removed from the Schedule.

51. That indigenous agency should be more largely introduced into the Enrolled List, and that the sources of recruitment for that list should be extended, appointments being made—

(*a*) of outsiders by open competitive examination;

(*b*) to a limited extent, as at present, from the Covenanted Civil Service;

(*c*) by the promotion of Chief Superintendents who have proved that they possess capacity for the superior branch;

(*d*) by the exceptional appointment of officers who have shown marked ability in the charge of Treasuries or in other Departments of the Provincial Service.

52. That the Government of India should continue to reserve to itself a discretion of appointing to the Enrolled List any person whom it may deem it conducive to the interests of the public service so to appoint.

Archæological Survey Department [*paragraph 95 of Report*].

53. That facilities should be given to a limited number of graduates of the Universities, sufficiently prepared by previous study, to undergo a course of training in Epigraphy.

Customs Department [*paragraph 97 of Report*].

54. That the Commissionership of Customs, Salt and Opium in the Presidency of Bombay should continue to be included in the Schedule attached to the Statute 24 and 25 Vic., Cap. 54.

55. That of the three Collectorships of Customs at Madras, Bombay and Calcutta and the Assistant Collectorship at Bombay, only the two most responsible appointments, namely, those at Bombay and Calcutta, should ordinarily be held by members of the Imperial Service, and that it is unnecessary to include the appointments of Collector of Customs at Madras and Assistant Collector at Bombay in the *cadre* of the Imperial Service for purposes of recruitment.

56. That the present system of recruitment by selection should be retained in respect to the other superior appointments in the Department, but that if these appointments are not filled by promotion from the subordinate ranks or by transfer from the Provincial Service, the persons appointed should only hold their offices provisionally until they have satisfied substantial probationary tests.

57. That there is no ground for the exclusion of qualified candidates of any race from the Appraisers or Preventive branches of the Department.

Education Department [*paragraph 99 of Report*].

58. That recruitment should be made in England only for—

(*a*) Principalships of Colleges;

(*b*) Professorships in those branches of knowledge in which the European standard of advancement has not been attained in India; and

(*c*) a smaller number of Inspectorships than at present.

59. That recruitment of Professors should be ordinarily of specialists, and, when practicable, for a term of years, with power of re-appointment.

60. That the remuneration of officers recruited in England should be fixed with reference to the attainments required and the duties to be performed in each case.

61. That the present graded lists of the superior branch of the Department should be abolished, due regard being had to the interests of existing incumbents.

62. That all other educational appointments should be filled up locally by the present mode or modes of recruitment, on the principles recommended in this Report as to conditions of service for the general Provincial Service.

63. That there should be in each Presidency and in the larger Provinces at least one college with a staff of Professors capable of teaching up to the highest European standards, under a European Principal; and that the same object should as far as practicable be kept in view in smaller colleges.

64. That the inspection of schools and colleges should be carried on by an agency entirely separate from the teaching staff and recruited from a different source.

Forest Department [*paragraph 101 of Report*].

65. That the staff of the Department should be divided into an Imperial Branch and Provincial Branches, and that, as in the Imperial Civil Service, the Imperial Branch of the Forest Service should be a *corps d'élite*, limited to the number of officers necessary to fill the superior controlling appointments and such a proportion of the Assistant Conservators' posts as will ensure a complete training for the junior officers.

66. That the Imperial Branch should be recruited in England, and that the conditions of service as to leave and pension should be assimilated to those of the Imperial Branch of the Public Works Department.

67. That the present rule which disqualifies married men from presenting themselves at the examination in England should be modified, as it might operate to debar Native candidates from competing for appointments in England.

68. That the Government should keep in view the policy of training in India men qualified to take charge of the higher administrative appointments so as to avoid as far as possible the necessity for expanding the Imperial Branch of the service.

69. That the rules at present prescribed by the Forest Code for the admission of candidates in India should be retained as providing a system of recruitment for the Provincial Branches of the Department suitable to existing circumstances.

Geological Survey Department [*paragraph 103 of Report*].

70. That so long as no adequate provision is made for the teaching of Geology and the allied sciences at Indian colleges, appointments to the higher grades of the Department should ordinarily be made by the Secretary of State without respect to the nationality of the candidates.

71. That Sub-Assistants should not be recruited in greater numbers than are required for the purposes of the Department, *i.e.*, to assist the more qualified Surveyors; but that Sub-Assistants should be promoted to the superior grades if they give proof of capacity for independent work.

72. That it is open to doubt whether the organization of a Department for Geological Survey is expedient to any greater extent than is required to secure systematic investigation.

73. That the graded system appears unsuitable for a service in which the work to be performed calls for the highest efficiency in an equal degree throughout the whole term of employment.

74. That the system of engaging specialists for a limited term of years is advantageous and should be continued.

Jail Department [*paragraph 105 of Report*].

75. That when Superintendents of Jails, Central or District, are not Medical officers, more opportunity might properly be given to Natives of India to show their fitness for these appointments from which they are at present practically excluded.

76. That the qualifying service for the important position of Superintendent of a Central Jail should be such as will ensure a thorough preliminary training, and that no person should be appointed to that office who has not

served three years in the Jail Department, or in the superior grades of the Police Department, or in both combined.

Meteorological Survey Department [*paragraph 107 of Report*].

77. That in the present state of scientific education in India, the Commission is unable to recommend any change in the system of recruitment for this Department.

Mint Department [*paragraph 109 of Report*].

78. That the rule in the Notification of the Government of India, No. 3570, dated 19th September 1884, which prescribes that Commissioned officers only shall ordinarily be appointed to gazetted offices in the Assay Department, should be cancelled.

79. That further enquiry should be made whether the scheme of training for temporary appointments involves unnecessary expense.

80. That, as a general rule, where a scientific education, as distinct from probationary departmental training, is required to qualify officers for service in any Department, the cost of such education should be borne by those who seek employment rather than by the State.

Opium Department [*paragraph 111 of Report*].

81. That the experiment of appointing Natives by selection to a proportion of the vacancies in the Department should be discontinued, and that the future recruitment for this Department should be subject to the general principles of equality of treatment of all classes of Her Majesty's subjects and of tested preliminary qualifications which have been proposed for the Provincial Service.

82. That the Imperial Service affords the fittest field of selection for filling the appointments of Opium Agents, and that these appointments should be retained in the Schedule of reserved posts attached to the Statute 24 and 25 Vic., Cap. 54.

Pilot Service [*paragraph 113 of Report*].

83. That no sufficient reasons exist to justify a recommendation that the State should establish a special school for the instruction of persons born and educated in India who entertain a desire to adopt a seafaring life as a profession.

Postal Department [*paragraph 115 of Report*].

84. That, in order to enable Natives to compete on equal terms with Europeans and Eurasians for appointments which require higher educational qualifications and greater physical energy than are necessary for efficient service in the lower posts, a certain number of appointments carrying salaries of from ₹80 to ₹100 a month should be filled by competition, the successful candidates being admitted on probation and being trained in Head Offices after which they should be employed as Inspectors, and if found qualified, selected for the grades of Superintendent.

85. That of the seven highest appointments in the Department at present filled by Covenanted Civilians, not less than three should ordinarily be filled by promotion within the Department.

Police Department [*paragraph 117 of Report*].

86. That although for many years to come the European element in the higher ranks of the Police should predominate, Natives of India ought not to be entirely excluded from those ranks as is now the case in some Provinces, but that endeavours should be made to introduce a reasonable proportion of Native officers, due regard being always had to the efficiency of the service.

87. That the present system of recruitment for the grade of Assistant District Superintendent in most Provinces is unsatisfactory, as not affording a sufficient guarantee for educational qualifications and habits of industry, and that admission to this grade should be by—

(*a*) limited competition amongst candidates selected in England for such portion of the appointments in each Province as the Government of India may decide to be necessary;

(*b*) limited competition amongst candidates selected in India, such candidates being carefully chosen on grounds of good physique, the knowledge of the vernacular languages prescribed for the Provincial Service, and high educational qualifications of an English kind;

(*c*) promotion from the grade of Inspectors for exceptional merit and ability shown in active service.

88. That both of the competitive examinations referred to in the foregoing Recommendation should be conducted in accordance with rules approved by the Government of India.

89. That appointments to Inspectorships should, as a rule, be made from the lower grades of the force, and that in no case should outsiders be appointed to Inspectorships merely as a training ground for the higher offices.

90. That many of the abuses which now characterise the Police force are due to the inadequate remuneration of the lower grades; and that whatever improvement may be made in the conditions of service of the other ranks, full advantage will not result from it so long as the officer in charge of a Police Station, by whatever name he may be called, does not receive remuneration and prospects adequate to induce and enable him to withstand the temptations to which his situation exposes him.

Public Works Department [*paragraph 119 of Report*].

91. That the Engineer Establishment of the Public Works Department should consist of an Imperial Branch and of Provincial Branches.

92. That the Imperial Branch should consist of such a number of Royal Engineers as may be required as a reserve for military purposes over and above the officers employed in the Military Works Branch and of Civil Engineers recruited in England.

93. That the strength of the Imperial Branch should not be greater than is necessary for purposes of control and direction and for the execution and repair of works calling for high Engineering skill, and that the recruitment from the Cooper's Hill Royal Engineering College, which appears at present excessive, should be regulated accordingly.

94. That the conditions of service in the Imperial Branch should be fixed with a view to secure the necessary qualifications in England, and should, as far as possible, be uniform for all officers employed in it.

95. That the Provincial Branches should be of a strength adequate for the construction and maintenance in the several Provinces of works not ordinarily calling for high Engineering skill.

96. That the recruitment for the Provincial Branches should be made by the direct appointment to the lowest grades of qualified Engineers from the Indian Engineering Colleges and in exceptional cases by promotion from the Upper Subordinate grades.

97. That there should be at least one college in India thoroughly well equipped for providing a high education for Engineers for the Provincial Branches, and that such college should be open to all classes of Her Majesty's subjects.

98. That the conditions of service as to pay, furlough, and pension should be fixed for the Provincial Branches without reference to those of the Imperial Branch.

99. That the number of professional Engineers and Military officers employed in the superior Accounts Branch is excessive and should be reduced.

100. That the mode of appointing outsiders to the Accounts Branch is unsatisfactory; that the recruitment should be to a larger extent from all classes of the community; and that it should be by open competitive examination, the subjects prescribed for the examination being so chosen as not to exclude any class of the community likely to furnish qualified candidates, and by promotion in exceptional cases from the Accountants' grades.

Registration Department [*paragraph 121 of Report*].

101. That the appointment of Inspector General of Registration should not be included in the *cadre* of the Imperial Service for the purpose of recruitment.

102. That while no obstacle should be placed in the way of such Registration officers as may desire to compete for employment in other Departments, those officers should not be exempted from the operation of any rules prescribed to ensure the possession of the special qualifications required in any particular Department.

Salt Department [*paragraph 123 of Report*].

103. That the Commissionership of the Northern India Salt Department and the Commissionerships of Salt in the Madras and Bombay Presidencies should be retained in the Schedule attached to the Statute 24 and 25 Vic., Cap. 54.

104. That when recruitment for Superintendentships in the Northern India Salt Department is resumed, the orders directing the reduction of the salaries attached to those appointments should be reconsidered.

105. That, sufficient precautions being taken to secure the requisite physical qualifications, the same principles should govern the recruitment for and promotion in this Department as have been recommended for the Provincial Service, and that rules should be framed in the case of the Northern India Salt Department by the Government of India, and in the case of the Departments in Madras and Bombay by the Local Governments, subject to the approval of the Government of India, to give effect to this Recommendation.

Survey Department [*paragraph 125 of Report*].

106. That Royal Engineers or other Military officers employed in the

Senior Division, with such specialists as may be recruited in England, should be regarded as forming a distinct branch of the service, with pay, furlough and pension rules adjusted to the requirements of a service so recruited; and that the posts now held by the Junior Division should be amalgamated with some posts surrendered by the Senior Division so as to provide sufficiently attractive prospects for a service locally recruited, the pay, furlough and pension rules applicable to which should be adjusted on the principles already indicated by the Commission in respect of other services recruited in India.

107. That admission to the Junior Division (or to the Local Service if the Recommendation of the Commission is adopted) should not be confined to special classes of Her Majesty's subjects in India, and that it should be regulated by competition among selected candidates, and exceptionally by promotion from the Subordinate Service.

108. That, in view of the fact that the Revenue Survey Departments in the Madras and Bombay Presidencies will be abolished in a few years, no further appointments of probationers should be made to the gazetted posts, and that any deficiency experienced in the strength of the existing agency should be supplied from the Provincial Services, such as the Land Revenue or Public Works Departments.

Telegraph Department [*paragraph 127 of Report*].

109. That for the present the recruitment in England on the scale now sanctioned should be maintained, but that the gradual reduction of the staff recruited in England should be kept in view, and that a superior Local Telegraph Service should be recruited in India from classes to be established at one or more of the Indian Engineering Colleges.

110. That the pay of the service locally recruited should not be adjusted with reference to the pay of officers recruited in England, but that the pay and other conditions of the service locally recruited should be determined independently on the same principles as it is proposed to adopt for the Provincial Service.

129. Conclusion.—These are the Recommendations which the Commission has to make for the consideration of the Government of India. They are mainly based on conclusions to which the evidence interpreted by the experience of the several members compels it; and in the desire to follow the guidance of experience the Commission may in some particulars have exposed itself to a charge of inconsistency. It offers no original scheme; it advises the further application of principles long accepted and progress on lines indicated by the action of the Government in the past. Considerations of policy and economy alike require that, so far as is consistent with the ends of good government, the recruitment of the official staff in England should be curtailed and advantage taken of qualified agency obtainable in India. The Commission is well aware of the objections that may be urged with more or less force against some of its Recommendations and has given them full consideration. But the objections to the alternative plans, which were suggested or suggested themselves, seemed to the Commission still more weighty and numerous, while they carried with them infractions of essential principles which the Commission has steadily kept in view, and presented difficulties in detail sufficient to preclude any hope of that reasonable finality which the Commission was directed to aim at. If the Recommendations of the Commission fall short of the expectations of those

who were sanguine in anticipating larger results, it must remind them how much has been already effected in the gradual extension of the field of employment for Natives; and if it appear to other minds that they err on the side of excess, it must be remembered that they leave in the hands of the Government an uncontrolled freedom of selection for the higher offices in the administration, and that, if accepted, they cannot be completely carried into effect for nearly a generation of official life.

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